

## BATH AND NORTH EAST SOMERSET

### CABINET

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

Wednesday, 15th December, 2021

#### **Present:**

Councillor Kevin Guy	Leader of the Council, Liberal Democrat Group Leader
Councillor Dine Romero	Cabinet Member for Children and Young People, Communities and Culture
Councillor Tim Ball	Cabinet Member for Planning and Licensing
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
Councillor Alison Born	Cabinet Member for Adults and Council House Building
Councillor Manda Rigby	Cabinet Member for Transport

#### **95 WELCOME AND INTRODUCTIONS**

The Chair, Councillor Kevin Guy, welcomed everyone watching and participating at the virtual Cabinet meeting and made the following statement:

*“Due to the ongoing Covid situation and a desire to retain a level of social distancing at Council meetings at this time, we are holding this ‘informal’ virtual Cabinet meeting to enable Cabinet, Councillors and members of the public to take part. This virtual meeting will be conducted in the normal manner but, as any decisions made will not be legally enforceable, they will be formally made at the physically reduced, quorate decision-making meeting tomorrow on 16th December 2021. We will review this approach for any future Cabinet meetings, in line with government and health guidance at that time.”*

#### **96 APOLOGIES FOR ABSENCE**

Councillor Tom Davies, Cabinet Member for Adults and Council House Building, gave apologies for the meeting.

#### **97 DECLARATIONS OF INTEREST**

There were none.

#### **98 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

1. The Chair made the following statement: “I am giving notice that I intend to call a special meeting of Cabinet (rule 4D, 7) in late January to agree the City Region Sustainable Transport Settlement before it is submitted by WECA to the Department for Transport. In so doing, I am also using rule 4D, 20 to suspend the necessary rules so that no public or councillor questions are permitted at this meeting, and only statements on the agenda item. This is to enable a focussed debate on the issue, and the usual public and councillor opportunities to engage with Cabinet will operate at the next scheduled meeting in February. Please can I have a seconder for this proposal and then ask Cabinet to indicate their support.” Councillor Sarah Warren seconded the proposal

**RESOLVED** to recommend to Cabinet on 16<sup>th</sup> December 2021 that rule 4D, 20 be used as outlined above regarding the January 2022 meeting of the Cabinet.

2. The Chair announced that Councillor Alison Born, Cabinet Member for Adults and Council House Building would make a statement on ‘The Sale of Virgin Care to Twenty20 Capital’

Councillor Alison Born made the following statement.

“I would like to make a statement about the sale of Virgin Care to the Private Capital company Twenty20 Capital.

The recent decision to extend the Virgin Care contract by three years, until 2027, was taken because it appeared to offer continuity and certainty during a time of great challenge and upheaval in health and social care services. It was a joint decision with colleagues in the CCG and was based on a detailed options appraisal using the information available to us when the decision was made on 11th November.

The announcement, three weeks later on 1<sup>st</sup> December 2021, that Virgin Care had been bought by the private capital company Twenty20 Capital, and is now known as HCRG Care Group, came as a total shock to all who had worked on the contract extension and all those working in local community health and care services, including valued colleagues in our voluntary and community sector.

We have been reassured that nothing will change but it appears to us that our community health and care services may have transferred from an organisation that had given a commitment not to make any profit from its health care contracts to one with a very different business model. If that is the case, it is clearly a significant change.

This raises a number of concerns, many of which have been raised with me by service users, elected members, third sector organisations, staff and residents. As the very basis for the extension decision appears to us to be in question, our confidence in continuity and consolidation has been undermined. As a consequence, we have decided to pause and reflect whilst we work jointly with colleagues in the CCG to seek specialist advice and undertake a comprehensive analysis and due diligence on the implications of these changes to our local services.

We aim to conclude this work as quickly as possible and to clarify our intentions well within the deadline for a decision on the contract extension of March 31<sup>st</sup> 2022. We wish to reassure all those working in our local community health and care services, including third sector organisations, that our primary motivation will always be to provide safe, high quality services that meet the needs of our local residents and that public money will be safeguarded for the provision of front-line services.

Above all, we must ensure continuity of service provision and protect the interests of staff working in community services who at this time are working incredibly hard to support the most vulnerable people in our communities whilst supporting the delivery of an expanded vaccination programme. We must also safeguard the collaborative, user-focused culture that we, the CCG, our third sector organisations and other partners have built over a number of years”.

## **99 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

Malcolm Baldwin (Chair, Circus Area Residents) made a statement regarding the implementation of the "Liveable Neighbourhoods Strategy" *[a copy of which is attached to the Minutes on the Council's website]*.

David Redgewell (South West Transport Board and Rail Future Severnside) made a statement regarding Transport Issues.

Rachael Hushon - made a statement regarding the work of the Community Speedwatch Team *[a copy of which is attached to the Minutes on the Council's website]*

Bob Goodman made a statement regarding issues facing the City of Bath *[a copy of which is attached to the Minutes on the Council's website]*

Martin Grixoni made a statement regarding the state of the City. Bath *[a copy of which is attached to the Minutes on the Council's website]*

Hannah Downey made a statement regarding City Centre Traffic Regulation Order.

Carole Cameron (Bath Independent Hospitality Association) made a statement regarding the TRO and the proposed changes to the Hotel and Guest House permits *[a copy of which is attached to the Minutes on the Council's website]*

Councillor Karen Walker made a statement regarding the budget relating to Peasedown St John *[a copy of which is attached to the Minutes as on the Council's website]*

Councillor Vic Pritchard made a statement regarding City Centre Security Issues

Councillor Karen Warrington made a statement regarding rural traffic issues.

## **100 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 48 questions from Councillors.

*[Copies of the questions and responses, including supplementary questions and responses, if any, are attached to these minutes]*

## **101 MINUTES OF PREVIOUS CABINET MEETINGS**

It was **RESOLVED** to recommend the approval of the minutes of the meetings held on Wednesday 10<sup>th</sup> November 2021 and Thursday 11<sup>th</sup> November 2021.

## **102 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

## **103 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

## **104 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

It was **RESOLVED** to recommend that the Cabinet on 16<sup>th</sup> December 2021 note the report.

## **105 BATH CLEAN AIR PLAN- UPDATE DECEMBER 2021**

Councillor Sarah Warren introduced the report and made the following statement:

“Air pollution is estimated to cause around 80 deaths a day across the UK, with approximately 80 per year in Bath and North East Somerset. The World Health Organisation recently released new guidelines on safe levels of 6 pollutants where evidence has advanced on the health effects from exposure, and I have written this week to the Minister to urge their rapid adoption into UK law, combined with adequate advice, powers and financial support for councils in tackling them, so as to reduce these adverse health impacts.

Tonight we are considering the second quarterly report on air quality, vehicle compliance, and traffic displacement following the implementation in March 2021 of Bath’s Clean Air Zone, which is designed to tackle high atmospheric levels of the pollutant nitrogen dioxide. The report covers the period from July to September of this year.

Nitrogen dioxide levels are usually measured and compared over 12 month average periods because of the way its concentration in the atmosphere fluctuates depending on seasonal weather conditions. Therefore this report on just 3 months from July to September, covers a very short period by these standards, and presents provisional data, not yet subject to bias corrections or validation.

During the quarter we saw overall traffic levels return to pre-covid levels in the city, with light goods vehicles at 112% and heavy goods vehicles at 110% of their pre-covid numbers, owing to pandemic-related changes in shopping patterns. Throughout the period, there have been dramatic changes to traffic flows around the city centre arising from the complete closure of Cleveland Bridge, which normally carries some 17,000 vehicles per day.

The purpose of the zone is to encourage the upgrade of the most polluting vehicles, and £9.4m has been made available through grants and interest free finance to support this. Some 1495 individuals have been approved for finance, and 591 vehicles upgraded so far through this route, with others delayed due to issues with global supply of new vehicles. Overall, air quality continues to improve both within and outside the zone, with average reductions in nitrogen dioxide levels 14% inside, and 9% outside the zone, compared to the same period in 2019.

Currently:

- 91% of all taxis, 96% of HGVs, and almost 100% of scheduled bus services driving in the zone are compliant.
- We've seen an increase to 77% of compliant light goods vehicles travelling in the zone.
- Of the 40,000 vehicles entering the zone each day, non-compliant vehicles are down to just 1.7%.
- The income generated between March and the end of September totalled around £3.5m, all of which will go into reserve funds to pay for the future operation of the scheme in the interests of public health.

I particularly want to thank those people who have gone to the trouble and expense of upgrading their vehicles, whether independently or through the council scheme, as well as those who are still on waiting lists for new vehicles, because we are seeing the benefits of the high level of vehicle compliance. I received an email from the wife of an asthmatic only this week expressing heartfelt thanks for the efforts we have all made as a community to reduce air pollution.

Bearing in mind that we have to take a 12 month view of pollution, we are still seeing nine sites with average nitrogen dioxide levels above 40 microgrammes per cubic metre over the quarter. Four of these locations have seen a decrease in emissions compared to the same period in 2019, which is pleasing. However, four have seen an increase, and they are probably all impacted to a greater or lesser extent by diversions arising from the Cleveland Bridge closure. Further detailed investigations are continuing at these locations, however, to ensure we fully understand what is going on.

In particular, I note that a recent newspaper article cites Chapel Row as the most polluted street in Bath, without expanding on the reasons behind the temporary rise in pollution seen here. From the closure of Cleveland Bridge in late June, we saw an increase in traffic flow northwards into Queen Square from 5,300 vehicles to 6,500 per week.

Graphs in our report show an exact correlation between this rise in traffic on Chapel Row and the rise in nitrogen dioxide concentrations at the corresponding diffusion tubes. I'd therefore like to reassure residents and businesses in the area that we fully expect nitrogen dioxide levels at Chapel Row to fall back below 40 micrograms per cubic metre now that the bridge has reopened. This was a temporary increase, due to the closure of the bridge.

Whilst the overall reduction in pollution we have seen across the city is positive, it is somewhat disappointing to note that despite largescale displacement of HGVs away from Cleveland Place during the bridge closure, pollution levels at Walcot Parade

remain above 40 microgrammes per cubic metre, and there are a couple of other pollution hotspots where I would prefer to be seeing a faster reduction in pollutant levels.

There are also a number of areas around the city where we are seeing some displacement of traffic, and with Cleveland Bridge closed, it is often hard to determine whether this is due to the Clean Air Zone, to the bridge closure, or to the overall national increase in heavy and light goods vehicles on our roads since the pandemic. Only longer term and more detailed monitoring, particularly following the reopening of the bridge, will enable us to tease out these different elements.

The data collected during the bridge closure to date does show us clearly that removing many vehicles from this part of the network has seen a dramatic reduction in air pollution, and the next quarterly monitoring report will show us exactly what air quality at Cleveland Place is like **with** cars and **without** trucks, as the bridge is currently closed to vehicles wider than 2m. This information is relevant to the next item on this evening's agenda, which recommends use of an amended Clean Air Zone charging order to charge all diesel HGVs above 12 tonnes to enter the zone unless exempt. I would like to register my concern that if large vehicles are allowed to return to the bridge, we can expect a return of pollution to Cleveland Place.

I would like to finish by thanking officers for their hard work monitoring the impacts of the zone so closely, and compiling the data into this quarterly report, which permits regular close public examination of our progress on this important public health measure. We clearly need to keep both air quality and potential traffic displacement under close review. We await government's assessment of the extent to which we are achieving success in the New Year.

In the meantime, given that our legal compliance with air quality standards now looks as though it may be marginal at a small number of locations in the city, I would like to amend the final recommendation (in the report), to additionally request an options appraisal for making further improvements to air quality in the city, as part of our next published report about the Clean Air Zone".

Councillor Sarah Warren moved the recommendations, as amended.

Councillor Dine Romero seconded the motion and stated that a key factor behind the Clean Air Zone is the public health implications of bad air quality. She stated that climate change and public health are good reasons to support The Clean Air Zone but acknowledged variables such as the work on Cleveland Bridge.

Councillor Richard Samuel made the following statement: "Once again, I welcome the publication of this report which places the facts concerning the CAZ in the public domain and represents the official state of play rather than some of the ill-informed comments I have seen on social media from certain members of the main opposition party.

Overall, I am pleased to see a trend towards reduction of pollutants, but I am concerned to see that pollution levels remain above legal levels in my ward and also in a number of city centre sites.

I want to speak briefly on one of these – Chapel Row.

When the last administration's then cabinet member, Cllr Goodman, proposed the traffic light scheme at Queen Square, he set in train the sequence of events that have led to the higher pollution levels we see today. In 2019 the Conservative administration were so desperate to avoid charging cars to come into the CAZ, a Class D CAZ, that came up with this bonkers scheme.

One of the areas where pollution was above legal limits was the corner of Gay St and George St which is a notorious pinch point. The other was at Cleveland Place in my ward.

Failure to achieve compliance at these pinch points would have meant that air quality would always have failed the standard and therefore the council would have to impose a Class D CAZ. So, Cllr Goodman came up with the Heath Robinson solution we see today. Two sets of traffic lights installed at Queen Square which are designed to hold traffic back when pollution tips over the limit at Gay St. However, he offered no solution to the Cleveland Place pollution levels.

The inevitable consequence of this plan, which I criticised at the time, was queuing traffic in Chapel Row and around Queen Sq.

Once in power Cllr Warren and I looked extremely closely at the scheme because we did not like it and felt it would displace traffic into lower Lansdown. We asked officers to produce modelling to demonstrate what would happen if the scheme was scrapped. The data they provided showed huge increases in Marlborough Lane, Julian Road, and Royal Avenue to unacceptable levels. This was a deliberate attempt by the Conservatives to disperse pollution into residential areas to reduce it at the pinch-point.

In short it was a deliberate attempt to massage the figures down to achieve a Class C CAZ when all the data showed that a Class D CAZ was probably the correct course of action for the Conservatives to have taken following the science. It also meant that the projections for Gay St and Cleveland Place were within a 3% margin of error and so statistically unreliable as a certain outcome.

Despite our best endeavours it proved impossible to unpick this decision, despite the now Mr Goodman's claims to the contrary, as this would have meant missing the deadlines set by JAQU and additional cost to remodel the CAZ.

The result is clear to see.

I also note the downgrading of aspiration by the Tory government from compliance to achieving success. Weasel words if ever I heard them.

But I also want to reflect on the diversionary impacts that are clearly occurring and are referred to in para 3.7 of the report. Whilst these are perhaps explainable they are not desirable. I therefore call on my colleague Cllr Warren to agree to examine these negative impacts and if justified bring forward amendments to the charging order that discourage commercial vehicles from impacting on residential areas. I raise this now as there is a clear connection to the recommendations contained in the next report.

Finally, I want to end by commenting on the NOx figures for the monitoring sites in my ward.

- Anglo Terrace – dramatically down because of the HGV ban
- Paragon – up because of diverting vehicles
- Walcot Parade – down because of the HGV ban
- Canton Place – down because of the HGV ban
- Walcot St – marginally down
- Cleveland Place- down because of the HGV ban.

Chairman if ever an evidence base was required for a permanent restriction on all HGVs over Cleveland Bridge this was it".

**RESOLVED** (unanimously) to recommend that the Cabinet on 16<sup>th</sup> December 2021:

- 1.1 Note the performance report and the ongoing progress which has been made towards improving air quality and associated public health outcomes, together with the ongoing increasing proportion of compliant vehicles entering the CAZ and achieving success with the Ministerial Direction.
- 1.2 Note the continued performance of the scheme against the scheme's financial model, ensuring it covers its costs of operation and avoids placing an additional burden on the Council and local taxpayers.
- 1.3 Note that after assessing over 2,500 applicants who applied to the financial assistance scheme and finding 1,495 vehicles eligible for replacement or retrofit treatment, the current round of funding for the financial assistance scheme will be concluding. However, a waiting list is being held, should further funding become available.
- 1.4 Note the success achieved at key hotspot monitoring locations in reducing nitrogen dioxide levels e.g. Gay Street, acknowledge the risk that more intervention may be required at some locations, e.g. Wells Road and note the work that Officers have already been doing in anticipation of this outcome.
- 1.5 Request an options appraisal for making further improvements to air quality in the city, as part of our next published report about the Clean Air Zone.

## **106 CLEVELAND BRIDGE REVIEW**

Councillor Mandy Rigby introduced the report and made the following statement:

"I am splitting this speech into 2 bits. I will introduce the paper I am asking you to support shortly, but first, I'd like to take this opportunity to give my Cabinet colleagues and those who are watching a verbal update on the condition of the bridge and the status of the works.

Engineering work on Bath's historic Cleveland Bridge will continue in the run up to Christmas, pause from 23rd December and resume on January 4.

The bridge will remain closed to HGVs but will continue to be open for vehicles under two metres in width under traffic signals.

A fuller update on the programme of renovation works is anticipated in mid-January. Since temporary supports were installed at the end of October, crucial sections of the bridge trusses have been repaired, however repairs on a fourth truss are more extensive and work is ongoing.

Another temporary platform has been erected under the bridge deck on upstream side of the river allowing for more detailed inspection of the bridge. It has resulted in the identification of a further 28 repairs in addition to 21 already accounted for.

Investigation work is also under way on downstream side of the structure.

Engineers are looking at all options to progress the repairs as safely and quickly as possible but at this stage we are unable to confirm when the bridge will be fully opened.



Pedestrians, cyclists and cars can use the bridge and an exception has been made for emergency vehicles, which will be able to access the bridge via a gate specifically for their use.

Diversion routes for all other vehicles and through traffic on the A36 via South Gloucestershire are available on the council's Cleveland Bridge webpage.

Work on the £3.8 million project to repair and safeguard the Grade II\* listed structure began in May under temporary traffic signals before the bridge was closed to all vehicle traffic on 28 June.

The extent of the works includes repairs to the bridge deck and concrete supporting structure, along with repainting of the cast iron arches and parapets and waterproofing to prevent future weather damage.

However, due to the uncertainty this may have an impact on other planned maintenance and events that require road closures that are scheduled in for next year. We are working to understand this risk fully, but we will be discussing with event planners and other stakeholders shortly.

The project is currently funded through the Government's Highways Challenge Fund.

Moving on to the paper in front of you about future options for the bridge.

I am asking Cabinet to agree with points 1-5 in the recommendations.

This paper is a direct result of the cabinet meeting held on September 9th when officers were instructed to examine all options for charging and/or restricting HGV movements across Cleveland bridge. This is a 200-year-old bridge, never intended for this volume and weight of traffic, and the mitigations put in place in 1927 are also struggling to handle the wear and tear. The £3.5m we are spending from the public purse now will need to be spent again in 10-15 years' time if HGVs go back to pummelling the bridge as before. It would be so much better to find a permanent solution.

In essence having examined all the routes open to us, there are 2 main options left, a Traffic Regulation Order (TRO), or a road user charge potentially through CAZ, as imposition of a toll, using either existing local legislation, or other tolling powers has been deemed currently unfeasible.

Cleveland Bridge forms part of the PRN, primary route network, therefore all TROs whether based on air quality, safety, or heritage grounds if it diverts traffic to adversely affect other parts of the PRN are subject to appeal to the department of transport.

We have worked extremely hard, and will continue to work hard with Wiltshire, Somerset, South Gloucestershire Councils, National Highways, and the Secretary of State, both directly and via the Western Gateway board, to try to reach agreement but in the absence of doing so, the risk of a successful PRN appeal is very high.

We are not in the business of exporting our problems elsewhere, but we are in the business of standing up for our community, and to us, it is only right that all parts of the network, including Wiltshire, take their fair share of traffic.

That being the case, it is recommended the recommendation before us this evening is that we progress examining extending the charging mechanism in the Clean Air Zone to include initially HGVs over 12 Tonnes.

Given the very positive reaction from HGV operators to the CAZ so far, there is an opportunity to go further, faster. Indeed, the HGV roadmap published by the automotive council says in the period 2020-2025 we should expect hybrid and electric vehicles to start to complement the lower emission vehicles, and we are as Cllr Warren has highlighted in the previous item under a direction to ensure compliance with air quality limit values in the shortest possible time.

Remember, this is not Bath's traffic. This is through traffic bringing congestion and pollution, not economic benefit.

I want to commend the officers for their work on this, leaving no stone unturned, no avenue unexplored, to allow us to protect our residents and our heritage from the blight of excessive overweight HGVs".

Councillor Manda Rigby moved the recommendations.

Councillor Richard Samuel seconded the motion and made the following statement:

"Chairman, in seconding this report I wish to speak to the relief that residents in my ward along London Road have felt since the 18-ton HGV weight ban was introduced. I have already referred to the obvious reduction in pollution levels caused by the effective removal of heavy goods vehicles to levels not experienced for decades. Residents will have seen a noticeable improvement in air quality making it better for children and those with poor health.

In no circumstances can HGVs be allowed to ever return uncontrolled to the London Road because the evidence is now clearly before us that they are a major cause of elevated NOx levels.

So, with this clear evidence we must now look to the future.

It is clear that using conventional solutions to tackle excessive HGV volumes is unrealistic. They are fraught with legal difficulties and risk challenge from other local authorities. However, the potential way forward set out in para 2.4 that extends the CAZ charge to all vehicles over a weight of 12 tonnes offers a solution. I feel this needs to be given the green light and officers asked to progress this at pace. It also potentially fits neatly with the need to review the operation of certain aspects of the CAZ I mentioned in relation to the previous report.

Chairman, residents in the London Road and Paragon want to see a big improvement in their quality of life. Work is underway on the Snow Hill LN, planning is in the pipeline for improved cycle provision on London Road, plans are coming forward for better bus priority, the last piece of the jigsaw is to prevent a return of uncontrolled HGVs to London Road and Cleveland Bridge – changes to the CAZ charging order offer the best prospect for that hope. This Lib Dem administration is delivering for residents in my ward so I second these recommendations particularly emphasising the role that 2.4 can play".

**RESOLVED** (unanimously) to recommend that the Cabinet on 16<sup>th</sup> December 2021:

1. Note that in the absence of a solution to restrict HGV movements over the bridge which has been agreed with the haulage trade associations, neighbouring authorities, National Highways and the Secretary of State, all unilateral options carry high degrees of risk of a PRN appeal and/or a legal challenge.
2. In light of the resolution made at the 9 September Cabinet Meeting (E3303) to adopt recommendation 2.1 in the corresponding Officer report, recognise the need to maintain good working relationships with the Council's neighbouring authorities and National Highways so as not to undermine the investment being made into a wider, strategic study into north-south connectivity between the M4 and the Dorset Coast with an aim of making the A350 the strategic route and thereby limiting HGV use of Cleveland Bridge as part of the Government's Road Investment Strategy 2 (2020-25).

3. Consider strengthening the Council's transport policies to: protect the amenity of the Bath World Heritage Site setting, continue to improve air quality standards, reduce vehicular demand on road space, and respond to the climate and ecological emergencies already declared by the Council. This could include, if necessary, the introduction of further restrictions and/or increased charges on vehicles entering Bath. In line with the legislation, note that any net revenues generated from any proposed charging scheme would be applied to facilitate the achievement of these policies.
4. Consider early engagement with the haulage trade associations, neighbouring authorities, National Highways and the Secretary of State with a view to exploring a variation to the Bath Clean Air Zone Charging Order 2021 so that all Euro VI diesel powered vehicles with weight exceeding 12 tonnes<sup>1</sup> become chargeable under the scheme, for the benefit of air quality and the amenity of the CAZ area (including the Grade II\* Cleveland Bridge) and the wider Bath World Heritage Site setting. As part of this and with a view to protecting local SMEs and their supply chains that may have recently invested in Euro VI diesel vehicles, explore the option of also introducing a time-limited exemption to complement the existing exemptions for hybrid, electric and alternatively fuelled vehicles. Subject to undertaking further feasibility work and being able to develop and implement a workable scheme, this would have the net effect of disincentivising all diesel-powered HGVs weighing over 12 tonnes from using the CAZ area as a through route.
5. Noting the high risk of appeal and/or legal challenge, and the resource implications highlighted in the report below, do not proceed with the TRO option at this time.

## **107 BRISTOL TO BATH STRATEGIC CORRIDOR, STRATEGIC OUTLINE CASE**

Councillor Sarah Warren introduced the report and made the following statement:

"The A4 Bristol Bath corridor serves a population of 117,000 with around 13,000 trips made along the corridor each day. At the moment, the mode share of these made by car is 54%, increasing to a whopping 77% of commuters to Bristol or Bath along the route, with just 7% of all trips by bike, and 9% by bus. Population along the corridor is forecast to increase, and if nothing is done, mode share by car is forecast to rise still further, with the greatest increase arising from trips of less than 5km. Corresponding congestion costs are forecast to increase to £800m per year by 2036. At present, there is very limited bus priority, and very little safe, segregated cycle provision on the route, which results in a vicious cycle. Buses stuck in traffic travel slowly with unpredictable journey times, cycling amongst the traffic feels too dangerous for many, there are few methods to get to the A4 that don't involve a car. Whilst there is a fast rail connection, it can only be accessed at Keynsham. So, people are understandably very much in the habit of picking up their car keys. The impacts of this car-dominated environment are many. The route currently suffers from severe congestion, with associated financial cost of wasted time and fuel, increased car mileage as people divert around it, air pollution, noise, and car-dominated communities that don't always feel like the pleasantest of environments to

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<sup>1</sup> In accordance with the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001.

walk around. As part of our climate emergency declaration, we know we need to achieve a reduction in mileage of 25% per person per year, and this is a vital transition to make for public health reasons as well. So, we need to make the shift from a vicious to a virtuous cycle.

The overarching objective of this project, funded through the West of England Combined Authority's City Region Sustainable Transport Fund, is to create a high quality segregated and prioritised mass transport, cycling and walking corridor that will provide for reliable services, to encourage people to use sustainable transport modes for short and mid-distance journeys, and contribute to tackling the climate emergency through modal shift. We also plan to improve sustainable modes of getting to the A4, with interchanges between transport modes along the route. Our underlying purpose is to improve people's lives through addressing the climate emergency, improving public health, and tackling transport poverty.

Our aspiration is for a fast, segregated zero-emission, turn-up-and-go, 5-minute bus service between Bristol and Bath, as well as a continuous, safe, segregated cycle route. This will create a vital step-change in the standard of sustainable transport connections between the two major cities of the West of England. A first round of public engagement was carried out this autumn, so we already have information about residents' views. Further engagement will take place in early 2022.

We welcome government's commitment to sustainable transport through the provision of the City Region Sustainable Transport Fund, and other funds, over the last two years. However, government's stated ambition in this area sits at odds with the cliff edge in regular bus service funding that companies are facing in April, as the covid support grant provided to companies by government is based on the assumption that passenger numbers, currently stuck at 70% of pre-covid totals, would have risen to 90% by now. It's a shame that government will not acknowledge this gap, and that communities, encouraged by government publicity to hope for improvements in mass transport provision, may instead be faced with dramatic cuts to services in the short term. I very much hope that government will quickly rethink this illogicality.

Cabinet is asked to note that the West of England Joint Committee will be asked on 28th January to delegate authority to Chief Executives to progress to Outline Business Case for this important project, the Bristol Bath Strategic Corridor. I wholeheartedly support the proposal".

Councillor Sarah Warren moved the recommendations.

Councillor Manda Rigby seconded the motion by acknowledging the outstanding work done by Councillor Warren and the officers. She stated that the scheme aims to achieve many outcomes and there is a long way to go but this is a positive start.

Councillor Richard Samuel made the following statement:

"I welcome this initiative by the WECA to improve the flow of public service vehicles between the main urban centres of Bath and Bristol together with other ancillary improvements for walking and cycling. The devil of course will be in the detail and how the competing demands for road space will be managed. It will be essential to work closely with residents and businesses along the route and in this regard, I welcome the work undertaken by the Mayor to involve residents at an early stage. It is clear from the responses set out at para 10.5 that there is plenty to do".

**RESOLVED** (unanimously) to recommend that the Cabinet on 16<sup>th</sup> December 2021:

1.6 Note that WECA Joint Committee on 28<sup>th</sup> January 2022 will be asked to delegate authority to approve the Strategic Outline Case to Chief Executives on 17<sup>th</sup> February 2022 for progression to Outline Business Case.

1.7 Note early public engagement will be carried out Spring/Summer 2022 if the Strategic Outline Case is approved.

## **108 2020/21 QUARTER 2 PERFORMANCE REPORT**

Councillor Richard Samuel introduced the report and made the following statement:

“This is the second report covering Q2 and is slightly late due to data gathering problems.

The detailed dashboard appears in the appendix, but highlights are:

- Very high levels of resident satisfaction at 87%
- Strong performance on recycling
- High levels of reablement – so important to help our hospitals
- Top performance on safeguarding for adults

I welcome the trend information but query whether faster traffic is a positive indicator in a city where 20mph is the norm. Perhaps officers could look at this.

We welcome suggestions from opposition members and the public as to how we can improve this data for the future. In this regard I will investigate whether the Corporate PDS panel would be prepared to look at the reports in the near future and let us have their recommendations”.

Councillor Richard Samuel moved the recommendations.

Councillor Kevin Guy seconded the motion.

Councillor Tim Ball thanked Councillor Samuel and the officers.

Councillor Dave Wood stated that this showed the best recycling on record in BANES and that satisfaction had gone up since 2018.

**RESOLVED** (unanimously) to recommend that the Cabinet on 16<sup>th</sup> December 2021:

1.8 Note progress on the delivery of key aspects of the Council's service delivery, details of which are highlighted in section 3.7 and Annex 1.

1.9 Indicate any other key service areas to be highlighted and included in the strategic indicator report.

1.10 Agree to receive update reports on a quarterly basis

The meeting ended at 8.05 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**

Good evening,

having spoken about "Liveable Neighbourhoods" at Cabinet on the 20th May (7 months ago) this may appear as 'ground-hog' day .....for which, with respect, I make no apology!

"Liveable Neighbourhoods" and their effective implementation will be a reflection of our positive aspirations for a cleaner, healthier and more economically energised city, for businesses and residents alike! Sensitively implemented and effectively monitored, the mandate you have and the enthusiasm you have created amongst many should now not be wasted.

You have the mandate ..... don't let others convince you otherwise and stay consistent to the narrative!

A number of residents associations, excited by the aims and content of your "Liveable Neighbourhoods Strategy" have invested much time, thought and effort into their proposals ..... let's not let it be wasted!

Using CARA, my own RA as an example, in November 2020 we consulted approximately 960 households within our catchment area and did so on a detailed basis, with a result of circa 80% being in favour of our concept. We also gained support from a number of neighbouring residents associations.

CARA's concept represents 'low hanging fruit' with the enhancements it would bring to a key heritage area and the economic and well-being benefits attached to that for our city and local businesses.

Low hanging fruit is NOT about "not frightening the horses" in what we introduce! It's about using the support, the advocates that you have to introduce something substantial and meaningful for the benefit of entire neighbourhoods. CARA'S concept for a "Liveable Neighbourhood" IS your 'low hanging fruit': substantial to test the detail and nuances, supported by advocates throughout our community and low cost!

"Liveable Neighbourhoods" are a journey ..... not a final destination! Our city needs some 'inaugural' "Low Traffic Neighbourhoods", both perhaps simple and more complex, to properly validate the strategy.

I believe, that this Council is braver than people think! The 'genie' is well and truly out of the bottle. Now let's act on that vision. Don't get wobbly! Let's all be brave!

To key Councillors, the Executive, officers ..... come and talk and fully engage with us. CARA is ready.....we can and are willing to help on this journey, but do be brave!

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Rachael Hushon Statement

**Community Speedwatch : BNES Cabinet 15<sup>th</sup> December 2021**

I have joined you this evening to talk about the work of Community Speedwatch Volunteers across our city and to ask for a city wide 20mph limit

I represent a Group of Speedwatch volunteers from the Lower Lansdown Area of Bath, but recently I have had the privilege to join with other Schemes across the BNES area

As a combined Group we number 21 schemes operating at multiple sites with over a 150 volunteers who have together given up more than 1000 hours of time over the last year.

I can assure you that we don't do this for fun, or for our uniform, we don't like the cold and we don't like the abuse or bullying that motorists give us. We give up our time because:

- We live on roads where motorists regularly ignore the 20mph speed limits
- Many live on roads which are residential but now suffer from cut through traffic creating dangerously high congestion at peaks.
- We want to live next to calmer roads
- We want to walk, cycle or ride on them safely
- We want children, elderly and less able bodied to use the streets and feel safe
- We want cleaner air which an enforced 20mph can contribute to

If our commitment isn't persuasive enough:

If a person is hit at 20mph they have a 2.5% chance of being fatally wounded at 30mph this becomes a 20% chance of being fatally wounded

In 2019 in the UK 91,153 people were injured, 20,885 people were injured seriously, 817 people killed through vehicle collision

20mph has been proven to reduce acceleration and deceleration and so reduces a vehicle's emissions

20mph has been shown to improve traffic flows avoiding bunching at junctions which actually means journey times are often not slowed.

A recent study by Surrey University revealed that the single most important factor in encouraging cycling is if the prevailing traffic speeds are 20mph.

And a city wide 20mph approach can save money too. London is estimated to be saving £20million per year in crash prevention.

So what are we asking for?

- We want a cross party commitment to put people not cars at the heart of traffic planning in our city.
- To make Bath an exemplar , a culture shift with zero tolerance for the bullying that some motorists assert over other people who share and live on our roads.
- Rather than seeing roads as a "network" see them from a human perspective like Sadiq Khan has done in London. View our roads and streets as places which are shared by people, not networks dominated by cars. Remember Residents live on them, and people walk and cycle on them.
- Finally we want all political parties, the Police and our Highways Officers in BNES to shift how they really view Bath's roads to recognise that a truly people centred approach is to adopt a city wide enforced 20mph zone and address the dominance of the car in our city.

Thank you for your time

Rachael Hushon

Lower Lansdown Community Speedwatch

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Bob Goodman – Statement to Cabinet 15<sup>th</sup> December 2021

I hadn't intended to speak tonight, really to give some respite to what must be the most incompetent Council Administration in Banes or more importantly Bath's History.

But when you hear the petty squabbling between the Leader and the previous Leader following the excellent interview by John Darvel on Radio Bristol then I find I have no alternative but to further expose the failings of this Administration so that residents can see how they have been failed.

Well my speech last Cabinet and my letter in the Chronicle must have hit a raw nerve with Cabinet Members and Director's of ADL that they spout out more and more untruths-I suppose the truth "HURTS".

Perhaps Cllr Davis, now in charge of procuring Council Housing should have done his homework instead of relying on what he was told, when writing a letter to the Chronicle.

No, Cllr Davis -ADL was not set up so Directors can receive Salaries as much as the Prime Minister , this is OUTRAGEOUS. They have no risk at all and have a Private Bank called BANES who not only funds them but bails them out when they need to sell properties to survive.

YOU CLLR DAVIS, NOT THE PREVIOUS ADMINISTRATION HAS DONE THAT..

The company was not set up-to procure Council Housing and pay themselves mind boggling sums to achieve this ...this is SHAMEFUL

This could be achieved at the fraction of the cost by the Councils own in house Building Surveying Department ..as it was in my time and we didn't just build 48 councils house a year

The building of Council housing may **well** have started off with good intentions but if you are to continue then bring this in-house at the fraction of the cost that you are being charged by ADL.

Let's look at some details...117 Newbridge Hil was sold by this Administration to the Development Company for the poultry sum of £300k when the true Value was over £800k. **We were told we would gain an extra £380k from that development, which was why it was being sold so cheaply.**

But wait this Administration is now buying back the converted property at the commercial valuation which I suspect is some £2.1 M . **So in real terms, our own building is costing us £1.8m to convert to 7 council homes, when the quote for the work originally in ADL's business plan was £1m.** Where is the excess profit going.. that's easy, Into the coffers of their own Development Company and to pay the astronomical salaries of their Directors .

And of course Cllr Davis, who was it who allowed the payment to Guinness Trust of £**450k** to get them out of an onerous lease, and by the way letting them off a Dilapidation claim of £1million only then to employ ADL to manage the refurbishment of the property.. it is your administration that has allowed this to happened and wasted both Government and Banes Money to keep this company afloat..

It seems the Government is now looking into the Commercial borrowing of Councils for both Investment and Developments The Govt in my opinion has got this wrong in allowing Councils to borrow without scrutiny in the first place, and now many Councils including this Administration will have to stand up and and prove their investment have been sound ... let's wait and see .....

I have asked on several occasions for the Development Company to be independently Scrutinised but that falls on deaf ears ,one has to wonder what are you scared of...

## Martin Grixoni Statement to Cabinet 15<sup>th</sup> December 2021

Today we have heard or will hear about what in my estimation is overwhelming evidence that this Council is having increasing difficulty in effectively running our City.

Aside from the obvious challenges that the pandemic brings with it, and areas where they have continued to provide good service with the hard-working employees of the Council, sadly there appears to be too many other areas where they are denigrating their duty of care to us, the local taxpayers that employ them.

We have examples of serving or former Lib Dem Councillors that were seemingly bullied out of their positions, or rumours of other serving Councillors that are being bullied within them.

Formerly strident LibDem supporters and even Councillors increasingly showing their frustration by attacking the way things are going, either by (as today) former LibDem Cabinet member Cllr Joanna Wright (now of the Green Party) asking an inordinately high number of written (and in my view) often quite antagonistic questions, or others vehemently attacking their former political friends on local or world-wide Social media.

Traffic in Bath being deliberately gridlocked.  
(Quoting Cllr Warren) *'Creating disruption on the City's roads will allow new patterns to emerge'*.

In achieving gridlocked disruption they have at least been successful!

Some of the many examples of U-turns:

- The ill-thought through taxing of DIY recycling
- The North Road cycle route debacle – Cllr's attacked by former LD candidate Simon Reynolds.

- The final agreed use of Avon Street Car Park, thanks mostly to a campaign by Mr Stricklin
- the Tufa field potential environmental catastrophe – a push back led by former Tory Cllr Bob Goodman
- The ridiculous Frisbee golf options on High Common – defeated by massive local opposition
- The ongoing 5G Tinfoil hat farce – yet again making Private Eye's 'Rotten Borough's' for what must be a record number of times. How can we attract business to Bath, never mind getting Cllr Warren to be heard and seen!
- and finally the Christmas Market fiasco, With Cllr Guy initially being quite rightly fully in support of it, but then so late in the day cancelling it - denying Bath business's income and tax revenues to the city – with poor Cllr Dine Romero dragged out to give the bad news of them farcically not being able to hire enough staff.

To cap it all, we have proof of their own Officers reportedly bullying residents into withdrawing objections to their political masters' schemes, one of whom is bravely here tonight, and you're quite lucky in my view that another one, Mark Stricklin, cannot be – something for you to look forward to!

So on this we're waiting for a U-turn on the uncalled-for permanent Ring of Steel which disadvantages both residents, businesses and disabled people – a scheme that your own leader called 'Appalling' and 'Poor at best', leading to the quite bizarre example of Cllr Guy seemingly attacking himself by blaming 'the last Administration' of which he was err... a part of.

An increasing number of people in Bath are feeling bullied by this high-handed and inept approach, and in the absence of elections until sadly another 15 months, we wait with frustration for the electorate to hold you to account. In the meantime, as many of

your political approach experience, you are being increasingly mugged by reality.

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I am speaking on behalf of Bath Independent Hospitality Association concerning the proposed changes to Hotel Permits in the TRO Report

#### THE CONSULTATION

- Singularly failed to interact with local small business providers
- And continues to ignore the concerns of local hospitality owners
- Results are biased and skewed

#### THE PARKING ELEMENT OF THE PROPOSED POLICY

- makes no effort to provide new or supplementary alternatives to compensate for the parking facility it removes – rather it simply places greater demand and pressure on limited ‘off street’ parking locations
- is devoid of alternative options, trials or solutions
- is driven by a naive belief that behavioural change will be achieved simply by making parking awkward for tourists and visitors
- Finally, it places an incremental levy on an already challenged independent business sector, of between 10-15% .....
- thereby threatening the very survival of these independent, regulated, hospitality businesses.

#### THE IMPLICATIONS

- Implementation will be staged in a guillotine manner with disregard for the benefit of moderated transition
- The scheme is unworkable.....
- And will result in significantly less accessible parking facilities, prompting thousands of additional vehicle commutes across the City – increasing congestion and pollution of the local environment. This surely, is inherently contradictory to the strategic objectives of the Council.

So please explain....

Why has the Council failed to engage with our sector over the past 12 months – particularly those who will be most hard hit in the Central Zone and Zone 1?

Why is the Council penalising the independent, regulated, tax contributing hospitality sector and so enhancing the substantial advantage already enjoyed by the grey, non business rate paying, unregulated, Airbnb sector.

Our members work hard to provide the World Heritage City of Bath with a unique hospitably offer. A service well received by countless visitors to the City year on year and whose substantial spend contributes to its financial well being. These measures will have a devastating impact on the viability of this important business sector within the City.

We appeal to you to support our request that **‘no changes to the existing scheme for Hotel and Guest House permits as described in Appendix D of the TRO report, be implemented until a workable and agreeable solution can be found.’**

We recognise the need for change, are not resistant to change, but believe suitable, workable alternatives should be explored and tested prior to a permanent change being implemented.

Please work with us to secure a win-win policy outcome that eases on-street parking, increases council revenues, reduces congestion and the collective carbon footprint.

Thank you

***2022/23 Budget – Will Peasedown St John be included?***

**Dear Panel Members,**

Each year we see millions of pounds being spent on numerous projects across the local authority.

All of which are carried out with the desire to invest in our communities and to improve the quality of life of our residents.

We are grateful that the council uses a budget setting and discussion process that allows all councillors to contribute and make representations on behalf of their constituents.

It's for this very reason that we're submitting this statement, and these items for consideration in the 2022/23 council budget.

Each week, we spend time out in the community knocking on doors, meeting residents, and finding out what their desires and aspirations are for Peasedown St John.

This is their 'wish list' for the forthcoming council budget:

- *£50,000 for Braysdown Lane resurfacing*
- *£50,000 for Carlingcott resurfacing*
- *£50,000 for Wellow Mead resurfacing*
- *£20,000 for hedge maintenance and path clearance*

Please do consider these financial requests from Peasedown St John residents for the 2019/20 council budget.

Yours,

**Cllr Karen Walker and Cllr Sarah Bevan**

Independents, Peasedown St John

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## CABINET MEETING 15<sup>th</sup>/16<sup>th</sup> December 2021

### STATEMENTS FROM PUBLIC AND COUNCILLORS

1. Malcolm Baldwin (Chair Circus Area Residents) - The implementation of the "Liveable Neighbourhoods Strategy".
2. David Redgewell (South West Transport Board and Rail Future Severnside) – Transport Issues
3. Rachael Hushon - The work of the Community Speedwatch Team
4. Bob Goodman – Issues facing the City of Bath
5. Hannah Downey - City Centre Traffic Regulation Order
6. Martin Grixoni – The State of the City
7. Carole Cameron (Bath Independent Hospitality Association) - TRO and the proposed changes to the Hotel and Guest House permits.
8. Councillor Karen Walker - 2022/23 Budget – Peasedown St John
9. Councillor Vic Pritchard – City Centre Security Issues
10. Councillor Karen Warrington – Rural Traffic Issues

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M</b>	<b>01</b>	<b>Question from:</b>	Councillor Joanna Wright
When will Cleveland Bridge be fully operational?			
<b>Answer from:</b>			Councillor Manda Rigby
<i>Councillor Manda Rigby Cabinet Member For Transport will make a statement at the Cabinet meeting on 15<sup>th</sup> December 2021 regarding Cleveland Bridge.</i>			
<b>M</b>	<b>02</b>	<b>Question from:</b>	Councillor Joanna Wright
The JLTP4 sets up a hierarchy of road users with walking and cycling as the first priority. Please can you explain why there are numerous signs, including an electric VMS sign and cones on the shared pavement for walkers and cyclists on the London Road. The Traffic Signs Manual 2.3 Reducing sign clutter, gives clear guidance that this overuse of signs is not acceptable. This present situation stops active travel for everyone whatever their age, gender or ability and gives priority to private vehicles which are universally recognised as objects that create pollution and carbon?			

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/771873/traffic-signs-manual-chapter-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771873/traffic-signs-manual-chapter-1.pdf)

**Answer from:**

Councillor Manda Rigby

*The current traffic restriction on Cleveland Bridge requires a significant level of temporary signage to ensure drivers are aware of the width limit. Even with all these in place, there is still the occasional over-size vehicle trying to get over the bridge. The overriding priority for us is safety, and it's important that large vehicles do not use the bridge because of its structural condition. I therefore do not consider there is over-use of signs.*

*There are limited options for placing these temporary signs on the approaches to the bridge. Placing them in the carriageway would require the removal of one of the two inbound lanes on London Road, which would significantly increase the current queue lengths and stationary traffic, with a knock-on impact on air quality. This would also have an impact on emergency vehicles. The signs have been positioned so as to not be in the way of pedestrians. We would not allow permanent signs to be placed in this way, but we are dealing with temporary works and will remove the signs as soon as the vehicle restriction on the bridge is lifted.*

**M 03**

**Question from:**

Councillor Joanna Wright

Please can the Cabinet Member for Transport explain how she is working with the Canal and River Trust (CRT) to encourage e-scooter use on the canal route between Grosvenor Bridge and Beckford Road?

**Answer from:**

Councillor Manda Rigby

*CRT do not currently allow e-scooters on tow paths in the UK. However, they are running a trial elsewhere in the country, and will keep us informed of the outcome.*

**M 04**

**Question from:**

Councillor Joanna Wright

Will the Cabinet Member for Transport be using Prof Lorraine Whitmarsh at the University of Bath to run a citizen's jury before implementing the Experimental Traffic Regulation Order on Milsom Street, as she has done with North Road?

<b>Answer from:</b>		Councillor Sarah Warren
<i>The Experimental Traffic Regulation Order which includes Milsom Street became operational on 25<sup>th</sup> November 2021 and is being implemented using the relevant statutory processes.</i>		
<b>Supplementary Question:</b>		
What is the cost to the Council to run a Citizens Jury?		
<b>Answer from:</b> Councillor Sarah Warren		
<i>A response will be provided in 5 working days.</i>		
<b>M</b>	<b>05</b>	<b>Question from:</b> Councillor Joanna Wright
Please can the Cabinet Member explain why it is acceptable for it to take 5 working days for a response from a Cabinet Member to a question, when as a Councillor when I received an email from an Officer in the Cabinet Members team they required that I respond by the next day?		
<b>Answer from:</b>		Councillor Kevin Guy
<i>The Constitution Part 4D Executive Procedure Rules, Rule 30 provides that a Cabinet Member who is asked a question or a follow-up question may</i> <ul style="list-style-type: none"> <li><i>• nominate another Cabinet Member to reply on his or her behalf;</i></li> <li><i>• indicate that a written answer will be provided, in which case that written answer shall be provided no later than 5 clear working days after the day of the meeting.</i></li> </ul>		
<b>M</b>	<b>06</b>	<b>Question from:</b> Councillor Joanna Wright



Please can the Deputy Leader give details of how many deaths in B&NES the NHS consider are caused by air pollution levels?			
Answer from:		Councillor Sarah Warren	
<i>There is a large body of evidence on the effects of outdoor air pollution on health. However, It is very difficult to estimate with any degree of accuracy the number of deaths by local authority thought to have been caused by air pollution. The only available official estimate of air pollution related deaths in Bath and North East Somerset is 80 adults per annum, a figure taken from the national Public Health Outcomes Framework produced by the UK Health Security Agency.</i>			
M	07	Question from:	Councillor Joanna Wright
Oxford City Council has welcomed the new World Health Organisation (WHO) guidelines which recommends stricter limits on the safe level of air pollutants and have written to the UK government to recommend adoption of the new guidelines as a matter of urgency. When will the Deputy Leader and Leader of Council at B&NES be writing to the UK Government asking for the UK to adopt the new WHO guidelines as a matter of urgency?			
Answer from:		Councillor Sarah Warren	
<i>The Cabinet Member has this week written to the Parliamentary Under Secretary of State for Agri-Innovation and Climate Adaption, Jo Churchill MP, to request expeditious adoption of the new targets into law.</i>			
M	08	Question from:	Councillor Joanna Wright
Can the Deputy Leader share the information she has sent to the two MPs for B&NES, the Rt Hon Jacob Rees Mogg and Wera Hobhouse on the ecological cost of aviation? As B&NES has declared a Climate Emergency and has agreed to reach net zero by 2030, is she aware that Wera hobhouse MP is calling for a 2050 date for the aviation industry?			

<b>Answer from:</b>		Councillor Sarah Warren
Yes, the Deputy Leader is aware that Wera Hobhouse MP is calling for a 2050 net zero date for the aviation industry.		
<b>M</b>	<b>09</b>	<b>Question from:</b> Councillor Joanna Wright
WECA, with great support from Cllr Warren recently launched a solar panel initiative. Many residents have contacted me on this issue as they are keen to take part in this project, to help the environment and lower their heating costs. However it appears that they now have to apply for planning permission, which costs over £200, and are required to provide detailed architect drawings to scale of the application and the application could possibly be refused. What funding and expertise is going to be put in place to support residents in this matter?		
<b>Answer from:</b>		Councillor Tim Ball
<i>The need for planning permission and the fees attached to any planning applications are set out in primary legislation that cannot be over ridden locally. However, the Solar Together scheme is primarily aimed at customers where installations would be Permitted Development and so the Council's website is being updated to clarify the relatively limited circumstances when planning permission is required. At the moment an energy efficiency improvement grant is available for owner occupier households with a joint income under £30,000 living in a low energy efficiency home of EPC rating E, F &amp; G. Enquire through Energy at Home. Within Planning officers are taking a supportive stance to solar development and have sought to remove barriers by setting out on the website what is considered permitted development. In addition when a planning application is required planning have set out guiding principle on key relevant considerations and the information requirements that will assist the process. In many cases it is possible to put solar panels on buildings without a planning application subject to adhering to some set criteria. Where residents need to discuss or are unsure about this they can contact a duty planning officer.</i>		
<b>M</b>	<b>10</b>	<b>Question from:</b> Councillor Joanna Wright
How many adult care clients in the B&NES area are homeowners, with mortgages paid off?		
<b>Answer from:</b>		Councillor Alison Born

*This information is not held by the Council.*

<b>M</b>	<b>11</b>	<b>Question from:</b>	Councillor Joanna Wright
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How many of the homeowners in adult care are being pursued to make a charge on their home in favour of B&NES Council via a Deferred Payment Scheme or other options?

<b>Answer from:</b>	Councillor Alison Born
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*The Council is currently engaging with 19 Clients as follows:  
9 potential Deferred Payment Agreements where paperwork is pending  
10 possible Deferred Payment Agreements subject to how quickly sales progress and/or deputyship is obtained*

<b>M</b>	<b>12</b>	<b>Question from:</b>	Councillor Joanna Wright
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How many of these adult care clients are being threatened with or taken to court when they decline?

<b>Answer from:</b>	Councillor Alison Born
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*None of the above.*

<b>M</b>	<b>13</b>	<b>Question from:</b>	Councillor Joanna Wright
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Councillor Rigby recently gave the following information: "Of the 766,876 tonnes of CO2 emitted within the district each year 29% are as a result of transport. This equates to 216,110 t/CO2e/yr. The Synthesis of Evidence that accompanied the Climate Emergency Outline Plan shows the deployment scale for the main measures to reduce energy demand on the Stretch pathway. This indicates that the scale of action required to become carbon neutral in transport terms equates to a 25% reduction in car use kilometres per person per year or a modal shift

creating a 7% reduction in car travel. The numbers serve to indicate the scale of action needed and are likely to change as local information is gathered.”

Source: <https://democracy.bathnes.gov.uk/documents/s58689/Appendix%20-%20Synthesis%20of%20Evidence.pdf> (2019)

What exactly will the Cabinet Member for Climate and Sustainable Travel do to ensure that this 25% reduction will take place - can the Cabinet member give actual detail so that B&NES Council can reach this target by 2030?

**Answer from:**

Councillor Sarah Warren

*The Council will soon be releasing a new Journey to Net Zero Transport Plan, identifying the transport measures that we are proposing to deliver modal shift in response to the climate emergency. We will also continue to work with our colleagues at the West of England to develop the West of England Transport Decarbonisation Plan.*

**M**

**14**

**Question from:**

Councillor Joanna Wright

In my recent questions to Cabinet in November 2021 I asked the following question:

“In February 2020, the Prime Minister announced the bus services across the country would be transformed with simpler fares, thousands of new buses, improved routes and higher frequencies. As Cabinet Lead on Transport and as B&NES is the Highway Authority how will you be leading on the real need for “improved bus routes” that would allow the many buses stuck in congested traffic on B&NES’s highways to make quicker more efficient journeys?

And received the following answer from Councillor Rigby

“The Government published its National Bus Strategy (NBS) under the title of Bus Back Better in March 2021 and gave a commitment to spend £3 billion over the lifetime of this parliament to support buses. In response, the West of England Combined Authority and North Somerset Council published a joint Bus Service Improvement Plan (BSIP) on 28 October 2021. That sets out what needs to be done to bring bus services up to the standard aspired to in the NBS. It includes targets to improve bus journey times and punctuality. Alongside it, a bid was submitted to Government for funding to deliver the improvements.

In the recent Budget, it was announced that the West of England CA would receive £540 million capital funding for transport schemes over the next 5 years. Full details have not been provided yet but it is anticipated that a good proportion will be for bus-related schemes.

B&NES has worked with the West of England CA to identify the key locations for investment in bus priority measures in its area, and to plan a

programme of implementation – subject to funding. The outline programme is shown in the BSIP, which can be viewed at <https://www.westofengland-ca.gov.uk/what-we-do/transport/bus/>

It would appear that Cllr Rigby was confused by the question - so I will ask it another way.

B&NES has a legal duty to manage the highways, it is the Highway Authority and as such B&NES must legally put in place Traffic Regulation Orders (TROs) to implement design change to the B&NES highway. Does the Cabinet Member for Transport have a TRO program ready to ensure that the bus network is improved so that buses can keep to their strict timetable and thereby keep costs to a minimum, thereby making the service reliable which in turn encourages greater bus uptake and reduces pollution, congestion and B&NES' carbon footprint, as well as cost to the user?

**Answer from:**

Councillor Sarah Warren

*We are continuing to work with the West of England Combined Authority and our neighbouring West of England authorities to deliver improved bus services through the Bus Service Improvement Plan. Referring back to the previous response on this matter this includes measures to improve bus journey times and punctuality.*

**M**

**15**

**Question from:**

Councillor Joanna Wright

In my recent questions to Cabinet in November 2021, Cllr Wood was very keen to stress that he does not have the exact data to give accurate information on how planting a tree will result in the sequestering of carbon. The Cabinet Member for Neighbourhood Services is keen to stress the Council's action on the climate emergency and how planting trees is part of that plan- to date It is understood that a 100,000 trees are being planned for planting. Recently a picture was shown on the Leader of Council supporting a tree planting at a school, where the said pear tree was surrounded by a caste iron guard. How will the Leader and Cabinet member be working with the community on the issues around sequestering and advocating for right action so that future planting of trees uses appropriate amounts of metal?

**Answer from:**

Councillor Dave Wood

*A response will be provided within 5 working days.*

<b>M</b>	<b>16</b>	<b>Question from:</b>	Councillor Joanna Wright
Fly tipping is a major issue and the dumping of hazardous waste has long term implications for the health of people, animals and flora. Fly tipping in the area around Chew Valley Lake was recently identified and a man prosecuted by the Environment Agency and North Somerset Council for the dumping of such hazardous waste that could impact the waste supply from Chew Valley Lake. How will the Council be working with the Environment Agency to ensure that appropriate prosecutions are taking place on hazardous fly tipping? What data has been collected to ensure that Chew Valley Lake's water is not contaminated			
<b>Answer from:</b>			Councillor Dave Wood
<i>The Council works closely with the Environment Agency on serious fly-tipping and pollution incidents. The incident referred to in the question was related to serious criminal activity which resulted in a prosecution. Both the EA and Bristol Water are carrying out regular monitoring of the water and catchment areas to ensure that the water quality is not impacted. No contamination issues of concern have been identified currently. They will be continuing with their routine monitoring for the foreseeable future.</i>			
<b>M</b>	<b>17</b>	<b>Question from:</b>	Councillor Joanna Wright
There are 7 months before the Council must submit tranche4 of the Active Travel Fund bid to WECA and central Government. What steps is the administration taking to make the scheme selection process transparent, involving all councillors and aligning with their net zero 2030 target of a 25% reduction in road miles?			
<b>Answer from:</b>			Councillor Sarah Warren
<i>The Department for Transport has yet to release dates for Active Travel Scheme Tranche 4 bidding process, but it is anticipated that bids will be required by late summer 2022. The council's selected schemes will be guided by the West of England Local Cycling &amp; Walking Investment Plan, the proposed West of</i>			

<i>England Walking and Cycling Vision &amp; Investment Strategy and deliverability criteria.</i>			
<b>M</b>	<b>18</b>	<b>Question from:</b>	Councillor Joanna Wright
Bath was named joint third in a recent survey of places where house prices have outstripped incomes. It is clear that many developers in the city are using the term “Affordable housing” when applying for planning permission to build houses in Bath. Please can the Cabinet Member explain the percentage difference in Affordable Housing and houses that do not use this term? In light of incomes being low in the city, what is the Council advocating to central Government on the issue of “affordable Housing”?			
<b>Answer from:</b>			Councillor Tom Davies
<i>Affordable Housing is defined in the Government’s National Planning Policy Framework document. It is a broad definition and includes: Affordable Housing for rent; Starter Homes; Discounted market homes for sale; and other affordable routes to home ownership. There are a number of criteria that the homes must fulfil depending upon the type of home being provided. Social rented homes, the most affordable housing product, typically cost around 50% of private sector rents whilst some affordable housing products can be up to 80% of the market value. As such the Council continues to prioritise the more affordable housing products, including social rented housing, through the planning system and is reviewing its policies to this end. The Council regularly engages with partners, including Homes England, WECA and others to continue to make the case to maximise the funding for affordable housing in the district.</i>			
<b>M</b>	<b>19</b>	<b>Question from:</b>	Councillor Joanna Wright
<p>The legislation for implementing in full, Part 6 of the Traffic Management Act 2004, is December 2021.</p> <p>This means that local Authorities can now enforce moving traffic offences such as illegal turns, drivers blocking box junctions, driving the wrong way up one-way streets, entering and waiting in a pedestrian zone and driving in bus or cycle lanes. This legislation was in place for London and Cardiff only, where they use Automatic Number Plate Recognition (ANPR) cameras to monitor their streets. Under secretary of state at the Department for Transport Baroness Vere said: “To ensure this change is fair, we will publish guidance for local authorities, so they can make drivers aware that enforcement is being undertaken.”</p> <p>Part 6 of the Traffic Management Act 2004 has been the main barrier for councils to use ANPR to enforce School Streets and issue fines. Will B&amp;NES as the Highway Authority be applying for these powers?</p>			

<b>Answer from:</b>		Councillor Manda Rigby
Yes		
<b>Supplementary Question:</b>		
I have been criticised for taking up too much time. Did it take 2-3 days to answer this question?		
<b>Answer from: Councillor Mandy Rigby</b>		
<p><i>The way the question was phrased asked if we had done something so I gave you the short answer. It did in fact take quite a while to look into all the things in order to get to that yes. I will just give you a small example of the things we had to look at:</i></p> <p><i>27<sup>th</sup> August – confirmed our intention to apply for the moving traffic powers, we are awaiting release from the Secretary of State (to get this we need to consult Avon and Somerset Police; set up a 6 week public consultation on plans; create effective communications plan; assess the TROs and signage and markings as applicable; ensure that we get certification for moving traffic; engage with neighbours to ensure a consistent approach). I have ensured that we have £20k included in this years fund in order to carry this on. So, I gave you the answer to the question you wanted but there was a lot of background work by the officers in order to be able to get there.</i></p>		
<b>M</b>	<b>20</b>	<b>Question from:</b> Councillor Joanna Wright
Bath & NE Somerset council recognize that one of the three key areas of greenhouse gas emissions that must be tackled, at district level, is property energy use. Can the Deputy Leader for Climate and Sustainable Travel give details on the Council's work with Curo and its 13,000 properties with numerous social housing obligations to ensure that energy use is in line with the Council's Climate Emergency declaration?		
<b>Answer from:</b>		Councillor Sarah Warren



*Registered Providers such as Curo are independent organisations who are regulated by the Regulator of Social Housing, rather than the Council. However, the Council successfully bid for Government funding for Curo to carry out underfloor insulation measures for 75 homes in Twerton and Southdown. The Council is also currently supporting a Curo bid to the West of England Combined Authority for social housing decarbonisation funding to retrofit 25 rural homes and in doing so to initiate the setup of a local retrofit social enterprise in B&NES.*

<b>M</b>	<b>21</b>	<b>Question from:</b>	Councillor Joanna Wright
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The EU phased out the last of the main incandescent and high energy light bulbs around September 2018 as a significant step toward energy conservation and greenhouse gas emissions reductions. The alternative low energy lighting was readily available and very low cost at those dates, offering immediate and substantial cost savings even with the writing off of existing stocks of incandescent bulbs. Can the Deputy Leader for Climate and Sustainable Travel detail, since both the ban in manufacture and the Climate Emergency was declared by Council give details on how many incandescent and high energy bulbs Curo has installed and when, if they have, when they stopped doing so? The estimated energy use and emissions of the bulbs already in situ?

<b>Answer from:</b>	Councillor Sarah Warren
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*The Council does not hold this information.*

<b>M</b>	<b>22</b>	<b>Question from:</b>	Councillor Joanna Wright
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The Energy Performance Certificate (EPC) of residential properties owned by Curo are notoriously inconsistent with seemingly identical properties receiving different ratings and improvement advice as well as obviously lower quality residences with no insulation, draught proofing, secondary glazing, or energy efficient lighting still receiving middling, reasonable, ratings. These discrepancies are publicly visible and can be quickly found on the EPC website. Can the Deputy Leader for Climate and Sustainable Travel detail what reviews and actions the Council have taken to investigate and correct this for the tenants in B&NES and how is the Council working to ensure Curo are meeting their enhanced duty of care as a housing association and social housing provider aligning with the national and local commitments and ambitions on the climate emergency?

<b>Answer from:</b>	Councillor Sarah Warren
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*Registered Providers such as Curo are independent organisations who are regulated by the Regulator of Social Housing, rather than the Council. The Council can take enforcement action against landlords including registered providers to improve energy efficiency performance where tenants are exposed to poor housing conditions which do not meet the statutory minimum standard or Minimum Energy Efficiency Standard. As a public body, the Council would seek to support Curo, rather than seek to take enforcement action.*

**M****23****Question from:**

Councillor Joanna Wright

Can the Deputy Leader for Climate and Sustainable Travel please confirm what the winter health issues and levels of fuel poverty are in B&NES?

What reviews and steps have they taken to ensure that Curo and other housing association tenants are adequately protected from the risks of hard to heat properties or unaffordable energy bills? What oversight have they put in place to hold the housing associations to account and protect vulnerable residents?

**Answer from:**

Councillor Sarah Warren

*The most recent government statistics (2018) for fuel poverty levels within B&NES give the number of households in fuel poverty as 7335 or 9.1% of households. This compares to a Southwest region level of 9.4 %.*

*Typical winter health issues due to cold homes are a direct and negative effect on the incidence of: heart attack, stroke, respiratory disease, flu, falls and injuries and hypothermia. Indirect effects can include mental health problems such as depression.*

*Registered Providers such as Curo are independent organisations who are regulated by the Regulator of Social Housing, rather than the Council.*

**M****24****Question from:**

Councillor Joanna Wright

Can the Deputy Leader for Climate and Sustainable Travel please detail what measures have been put in place to ensure planning applications both prioritize energy conservation and efficiency and what oversight has been put in place to ensure that this is implemented. Can they confirm how many applications for insulation or energy efficiency measure improvements or installations have been rejected by the

council? How many of these were from private landlords? How many of these were from professionals, such as architects?

**Answer from:**

Councillor Tim Ball

*Through the Local Plan Partial Update (LPPU) it is proposed to significantly strengthen planning policy to require applications for new development to be zero carbon. The LPPU is anticipated to be submitted for examination by a Planning Inspector later this month. Subject to the outcome of the examination and subsequent adoption of the LPPU applications will need to demonstrate that specified energy use requirements are met and that the energy used by a development is generated from renewable resources. The implementation of this policy will be facilitated through the Sustainable Construction Checklist SPD which will seek to set out how applicants can demonstrate meeting the policy requirements in a simple way.*

*Based on the data available out of 7 planning applications, 5 are still pending decision. 2 have been permitted. Of those received over half related to non-residential schemes and included various other works so were not straightforward. Of the residential schemes 2 of these related to the same listed building. Most have an agent.*

**M**

**25**

**Question from:**

Councillor Joanna Wright

The UNESCO website makes it very clear its commitment to “building peace in the minds of men and women” and “since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed”. It goes on to say that “a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind”.

In essence, UNESCO was created because it viewed that politics and economics are not enough to build a lasting peace, and that it must be based on “humanity’s moral and intellectual solidarity.” The whole city of Bath is a UNESCO world heritage site, and this status according to UNESCO should be used for education, healing and peace building. The custodian of this site, BANES, has made, it would appear little attempt to unpack the social history element with regard to slave trade, slave ownership or the wealth thereby generated or the extractive practices of colonisation. The Bath World Heritage website is silent.

It states in the UNESCO Healing the Wounds of Slave Trade and Slavery: report from Slave Routes Project Jan 2021

“The violence of slavery did not end with abolition. Its contemporary consequences are still active in the form of the terrible poison of racism that continues to contaminate societies.”

How will the Council begin to work with the UNESCO Slave Route Project to question the social, cultural and economic inequalities inherited

from this tragedy? Will B&NES Officers read the Jan 2021 Healing the Wounds of Slave Trade and Slavery report and report back with immediate and practical steps towards connecting with the Slave Route project to Bath with the Council taking a lead in this work?  
[https://healingthewoundsofslavery.org/wp-content/uploads/2021/04/UNESCO-GHFP\\_2020\\_Healing-the-Wounds-of-Slavey\\_Desk-Review\\_Report.pdf](https://healingthewoundsofslavery.org/wp-content/uploads/2021/04/UNESCO-GHFP_2020_Healing-the-Wounds-of-Slavey_Desk-Review_Report.pdf)

**Answer from:**

Councillor Kevin Guy

*UNESCO was formed in 1945, based on the belief that the global importance of cultural and natural heritage transcends that of national politics and a focus on these elements would help build peace in a fractured world. The City of Bath has been proud to play a part in this mission since inscription in 1987.*

*The entire City of Bath is inscribed as a World Heritage Site and is managed through a partnership approach. This brings together key partners in an Advisory Board to implement an adopted management plan. B&NES Council therefore conduct their role as ‘chief steward’ of the site rather than sole custodian.*

*Engagement with UNESCO initiatives, such as that of the Slave Routes Project, is spread between the 19 Advisory Board partners. These partners include both Bath Universities, Bath Abbey, Bath Preservation Trust, Historic England, the National Trust and (within B&NES Council) Bath Records Office. Many of these organisations have undertaken a significant amount of work related to the issue including an exhibition at Bath Abbey, Black History Month activities and improved interpretation of museum collections. These actions were outlined in a special sub-group meeting of the Advisory Board in July 2020. The Bath World Heritage Site website [www.bathworldheritage.org.uk/advisory-board](http://www.bathworldheritage.org.uk/advisory-board) carries Advisory Board minutes, but as a sub-group meeting these minutes were not previously uploaded. This will be rectified along with the opportunity to add further material around the subject.*

*The Bath World Heritage Site Management Plan is due for renewal in 2022, presenting an opportunity to provide a greater focus on Transatlantic Slavery. The new World Heritage Centre in York Street will also be officially opened around Easter 2022 and preparations are currently underway to include relevant material within it.*

*More widely, B&NES Council is already taking active steps to address racial inequality. A Race Panel has been established involving members of the public, chaired by Councillor Dine Romero, cabinet member for Children, Young People, Communities and Culture. In*

*addition, the Council has joined with SARI, Black Families Education Support Group and local schools to form a B&NES Schools Race Task Force which is developing a Race Equality Charter for schools.*

*In summary, the Council is already engaged with the issues outlined and is committed to do more. We applaud the UNESCO initiative on this matter, but regard this as being in parallel to the work being undertaken locally instead of leading it. Our officer resource will continue to look for opportunities to extend activity in this subject area, but their primary focus must currently remain on embedding the requirements resulting from our exceptional second UNESCO inscription and with work around the new Bath World Heritage Centre.*

<b>M</b>	<b>26</b>	<b>Question from:</b>	Councillor June Player
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Once a resident has commented on a planning application how are they informed that further documentation has been added to the planning portal by the applicant so that they are able to comment further should they so wish?

<b>Answer from:</b>	Councillor Tim Ball
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*The planning legislation does not automatically require that residents are re-consulted formally on amendments and to do so would increase costs to the Council however residents can sign up for automated planning notifications on the website.*

<b>M</b>	<b>27</b>	<b>Question from:</b>	Councillor June Player
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At present, documents relating to planning applications can be added to by the developer after the deadline for public consultation.

Example: 21/04147/ful. The public consultation for this application closed on 14.10.21 after that date 23 documents were added to the planning portal without residents being aware or able to comment on them.

It appears that the public are unable to comment on any additional documents added after the deadline given. Surely this cannot be right? Can the Cabinet Member please look into this and ensure that residents are able to comment on ALL the relevant documents pertaining to an application? A planning document should not be closed for comments until all documentation from the applicant is received. I feel the planning

office should not put an application out for consultation until ALL the documents are submitted. I do not believe that it is acceptable that residents are expected to have made comments on the application and then further information be produced that residents are not able to comment on.

**Answer from:**

Councillor Tim Ball

*Whilst a deadline is given for comments this is to ensure that officers are able to make decisions after a set date if that is possible however it is often the case that an application will remain live for some time after that initial consultation period. Where it is possible through negotiation to secure revisions to a scheme to enable it to be supported by officers it is a clear expectation from central government that negotiation should happen and amendments be made rather than issue refusals. Therefore it is inevitable that more plans will be submitted as negotiations take place. Any information received prior to an application being decided whether that be from the applicant or a third party must be taken into account in the decision. Late submissions regularly will occur from both applicants and residents. We encourage third parties to sign up for planning notifications and keep themselves informed through the automated system and to write in with comments on all live applications.*

**M 28**

**Question from:**

Councillor Sarah Moore

Please will you agree to start the process for the change of name of Twerton Ward to Twerton and Whiteway Ward?

**Answer from:**

Councillor Kevin Guy

*We will look into the cost and the process set out in section 59 of the Local Government and Public Involvement in Health Act 2007. That involves public consultation and a resolution of Full Council with at least 2/3rds voting for the change.*

**M 29**

**Question from:**

Councillor Rob Appleyard

As the planning consent for the Midland Rd waste depot is nearing its time limit do you have an update on the promised alternative provision for non kerbside waste for Bath residents, especially those on the east side of the City.?  
Would you also restate the administrations previous commitment to have a Working alternative solution in place prior to the closing of Midland

road? It is obviously recognised the significant contribution the waste teams have made especially over the previous 16 months.		
<b>Answer from:</b>		Councillor Dave Wood
<i>A response will be provided within 5 working days.</i>		
<b>M</b>	<b>30</b>	<b>Question from:</b> Councillor June Player
Will there be money allocated in this years budget to fully equip the Council Chamber with the appropriate equipment to enable integrated/hybrid public meetings? I understand that we have two 'back rooms' already equipped for this purpose but these are not rooms that are used for public-facing meetings. I strongly believe that we need to prepare the Council Chamber in readiness for this inevitable future.		
<b>Answer from:</b>		Councillor Kevin Guy
<i>'We are keeping ongoing COVID regulations for meetings under close review to enable hybrid working, at present there are no immediate plans to upgrade the Council Chamber, however if the legislation changes to enable decision making through hybrid meetings this will be considered as an emerging item within our IT investment plans'</i>		
<b>M</b>	<b>31</b>	<b>Question from:</b> Councillor Alastair Singleton
I note a very large number of questions to various Cabinet Members from Cllr Wright. Some appear to be on matters which are outside the Council's remit. Can you please estimate the amount of officer time and either direct or opportunity cost involved in providing answers? Was resource expended which otherwise would have been committed to work on the Climate and Ecological Emergencies?		
<b>Answer from:</b>		Councillor Kevin Guy

*At the time of writing this response we can advise that Cabinet questions take an estimated 2 days each month of Executive Support resource and 2 to 3 days from other officers. Further assessment would be required to provide any specific additional information on cost.*

*Officers would always encourage Councillors to raise any relevant and appropriate enquiries with them directly. Many of the Cabinet questions could be answered outside these formal arrangements.*

### **Supplementary Question:**

Would the Cabinet Member agree with me that, based on this estimate provided, significant resource is dedicated to this procedure and would he further agree with me that this procedure should be considered by the Constitution Review Group who should be asked to consider how appropriate proportionate access to information should be made available to members.

### **Answer from: Councillor Kevin Guy**

*Thank you for the question.*

<b>M</b>	<b>32</b>	<b>Question from:</b>	Councillor Grant Johnson
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Recently Bathnes Council put out a press release explaining that the rates of general waste going to landfill has seen a 'huge drop' from 15% to 3% in the year 2020/2021, which it stated was due to 'the work being done across the district to reuse and recycle'. Can the cabinet member please explain:

- A. What is the total percentage of general waste (GMW) that is collected as a proportion of all wastes collected across Bathnes and can they give a 5 year trend?
  - B. What is the percentage split between GMW collected for disposal under a D WFD code and GMW collected for recovery/recycling under a R WFD code?
  - C. What is the last 5 year trend for GMW collected for recovery and GMW collected for disposal?
  - D. Of the proportion of general waste collected for recovery/recycling under a R WFD code, what percentage is processed at I. MRF's (Materials Recycling Facilities)
- Or



II. EfW (Energy from Waste) facilities as RDF (Refuse Derived Fuel)

E. Of the waste processed at MRF's, what currently happens to the residual waste from this process and is this included in our council's waste and recycling figures?

**Answer from: Councillor Dave Wood**

*A response will be provided within 5 working days.*

<b>M</b>	<b>33</b>	<b>Question from:</b>	Councillor Grant Johnson
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I was recently asked by a hackney carriage taxi driver who works in Bath about the appropriate level to set fare rates at in the current economic climate. Since the start of the pandemic hackney carriage drivers have seen a huge rise in running costs, with a rise in fuel, maintenance, parts, servicing and licensing fees. Recently private hire companies have increased their rates, yet hackney carriage taxi drivers are unable to do the same. With inflation running so high and the gloomy outlook of covid cases and new variants an ever present threat to livelihoods, does the cabinet believe now would be a suitable time to increase fares so that taxi drivers can once again earn a fair wage out of a fair fare?

**Answer from: Councillor Tim Ball**

*The Council regulates hackney carriage fares and will be carrying out a review in January 2022 based upon information obtained from the Office of National Statistics on the rise in the cost of living and the rise in the cost of motoring.*

<b>M</b>	<b>34</b>	<b>Question from:</b>	Councillor Brian Simmons
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When is the bridge over the River Chew in Keynsham Memorial Park going to be replaced? Parents and children take their lives in their hands when accessing the play area at the junction of Bath Road and Avon Mill Lane.

**Answer from: Councillor**

*A response will be provided within 5 working days.*

<b>M</b>	<b>35</b>	<b>Question from:</b>	Councillor Vic Pritchard
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Since the launch of the Clean Air Zone in March this year, residents and visitors have complained about inadequate signage. The signs currently erected around the city indicating that the CAZ is in place do not give enough information to drivers. People are unsure where the CAZ boundaries actually are and fear that the failure to make it clear that private cars are exempt from charges is putting people off coming into the city from outside. With this in mind, please clarify the process the council followed when developing the CAZ signage and publish any guidance or advice the council received from the government.

**Answer from: Councillor Sarah Warren**

*The CAZ signage strategy was included as part of the Full Business Case for the CAZ and is published on the Council's website: <https://beta.bathnes.gov.uk/policy-and-documents-library/baths-clean-air-zone>. The relevant links are:*

- Signage at and within the boundary*
- Signage in advance of boundary*
- Map showing where signage will be placed*
- Details of the planned signage strategy, including Joint Air Quality Unit guidance and recommended sign faces*

*Officers engaged with the Department of Transport about the signs and scope for flexibility, however all Councils introducing CAZ's were required to use the same signage to avoid creating local differences.*

<b>M</b>	<b>36</b>	<b>Question from:</b>	withdrawn
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<b>M</b>	<b>37</b>	<b>Question from:</b>	Councillor Vic Pritchard
<p>Access to Cheap Street is currently blocked by barriers, with drivers having to notify the council if they wish to pass. The reason the barriers were erected, according to the council, was to provide sufficient space to enable social distancing to help prevent the spread of COVID-19. The TRO that facilitated the erection of the Cheap Street barrier expires this month. Please detail the plans for either removing the barriers when the TRO expires or for renewing the TRO.</p>			
<p><b>Answer from: Councillor Manda Rigby</b></p>			
<p><i>The (Anti-Terrorism) TRO relating to Cheap Street has been made and will come into operation on 1<sup>st</sup> January 2022. The barriers across Cheap Street will therefore remain in place during the hours of 10.00am to 6.00pm, with access for the disabled with a valid Blue Badge.</i></p>			
<p><b>Supplimentary Question:</b></p>			
<p>When the Chief Executive first proposed the inner zone to Andy Marsh the Chief Constable he said the barriers would be 'blended into the street scene' and 'will enhance our public realm and the environment'. As Cheap Street now makes up this inner zone how can the barrier possibly be said to blend into the street scene and enhance the public realm? A resident who served in the forces said it is a facsimile of anti tank barriers used in Afghanistan to fend off the Taliban.</p>			
<p><b>Answer from: Councillor Kevin Guy</b></p>			
<p><i>It is a misrepresentation of the situation to continue to state the inner zone was "proposed" by the Chief Executive. Officers of the council act to effect decisions made through established procedures and this case has been no different. The basis for all discussions has been the advice received from Counter Terrorism officers, based on a request from the Home Office to complete a Crowded Places Assessment. This continues to be the case. The mitigation measures proposed are similar to those in place in cities across the UK and recommended by the Centre for the Protection of National Infrastructure and are therefore appropriate</i></p>			

<b>M</b>	<b>38</b>	<b>Question from:</b>	Councillor Vic Pritchard
<p>Residents recently asked for a one-way system to be installed on Ham Lane, Bishop Sutton, to improve safety for walkers and cyclists. Council officers recently informed the parish council that future funding will not be sought for this scheme as it received a low score when compared to other similar schemes. This, however, is an important safety issue for people who live nearby. Can Cabinet please review this decision and ensure that proposals for a one-way system on Ham Lane are given serious consideration? The forthcoming installation of the Chew Valley Recreational Trail is likely to increase levels of walking and cycling considerably, and a failure to progress this scheme would seriously compromise public safety.</p>			
<b>Answer from: Councillor Manda Rigby</b>			
<p><i>Introducing a one-way system on Ham Lane could lead to increased vehicle speeds and cause inconvenience to some of the residents living there. We will shortly be installing an additional sign north of the access to the caravan park to remind road users that this is a two-way road since officers have been advised of a number of instances where visitors were under the impression the road had a one-way restriction.</i></p>			
<b>Supplementary Question:</b>			
<p>The answer provided made no reference to the Chew Valley Recreational Trail and what possible measures could be taken to counter the concerns regarding Ham Lane which will be a tributary route into this scheme.</p>			
<b>Answer from: Councillor Manda Rigby</b>			
<p><i>A response will be provided within 5 working days.</i></p>			
<b>M</b>	<b>39</b>	<b>Question from:</b>	Councillor Karen Warrington

Please provide a full breakdown of the financial support offered to people by the council to help pay any charges incurred by the Clean Air Zone. Specifically, what financial support is available to people to help them pay CAZ charges if they are on low incomes or who qualify for council tax support?

**Answer from: Councillor Sarah Warren**

*The Council has assisted owners of chargeable vehicles including buses, coaches, HGV's, LGV's and taxis to avoid paying zone entry charges by creating the Financial Assistance Scheme. Using £9.4M of government funding, the Council has provided grants and interest free loans to bring forward the replacement of older, polluting vehicles to compliant ones. As part of this scheme there are exemptions from CAZ charges when completing telematics assessments and, once all eligibility criteria have been fulfilled, during the period when the ordered vehicle is awaiting delivery. For those vehicle owners who may fulfil the eligibility criteria for entering the zone often enough but do not meet the financial eligibility criteria for a grant or a loan because they maybe on a low income or receiving benefit support, there is a time limited exemption from CAZ charges for 2 years.*

**Supplementary Question:**

Are there any procedures in place for individuals on low income, disabled and awaiting their Blue Badge to reclaim the Clean Air Zone and associated PCN charges incurred during the waiting process which I note is approximately 9 weeks?

**Answer from: Councillor Sarah Warren**

*A response will be provided within 5 working days.*

<b>M</b>	<b>40</b>	<b>Question from:</b>	Councillor Karen Warrington
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I see that Cllr Sarah Moore has been made Member Advocate for Accessibility. Does the council employ an Access Officer whose job it is to ensure decisions taken by the authority are fully compatible with residents who have disabilities?

**Answer from: Councillor Dine Romero**

*The Council does not employ a separate Access Officer role as ensuring that access issues are considered in decision-making and operations is the responsibility of relevant staff and managers, using Equality Impact Assessments as appropriate. To support this process, the council employs a Corporate Equality Officer within the Inclusive Communities Team to advise and to ensure that the council's legal obligations under the 2010 Equalities Act are met.*

<b>M</b>	<b>41</b>	<b>Question from:</b>	Councillor Vic Pritchard
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What is the average time it takes the council to send a blue badge to a resident from the point at which they formally apply for one? What procedures are in place to issue temporary blue badges to residents with short term disabilities?

**Answer from: Councillor Manda Rigby**

*Based on all the applications received by the council within the period of 1<sup>st</sup> Sept 2020 to 31<sup>st</sup> August 2021, the average time taken to confirm the outcome of an application for a Blue Badge from the date of its receipt is 64 days, or 9 weeks.*

*In line with the national guidance applicants are advised that an application can take between 6-12 weeks to be assessed and confirmed and where appropriate badges are processed for delivery by the council the working day after the payment of the £10 fee is made. All badges are printed and dispatched from a national distribution centre.*

*The length of time taken to assess an application can vary considerably and this is typically due to the varying degrees of complexity within each individual's circumstances; the level of evidence provided, particularly where missing or additional evidence must be requested from either the applicant or a nominated medical professional; and whether an applicant meets the criteria for automatic qualification for a Blue Badge. The council manages approximately 3k applications each year.*

*Blue Badges must be issued in line with the regulations that govern the Blue Badge scheme and a badge may only be provided where either:*

- *Automatic qualification criteria are met, such as the award of Higher Rate of Mobility Component of Disability Living Allowance, and the badge will be linked to the expiry of the award (maximum 3 years), or*
- *Where further assessment is required and the applicant is subsequently assessed to have an 'enduring and substantial disability'. Badges issued within this criteria must not be issued for durations of less than three years.*

<b>M</b>	<b>42</b>	<b>Question from:</b>	Councillor Paul May
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It was a requirement of the Liveable Neighbourhood applications that parish councils approved the bid. Why are the first-wave schemes ignoring relevant parish councils, especially when their priorities have been clearly articulated? The stated aim to consult via an unpublicised public meeting in a dark car park during mid-winter has generated bad feelings in the democratic body closest to those local communities.

**Answer from: Councillor Sarah Warren**

*The project team have set aside time to work with parish councils and residents' associations on the liveable neighbourhood programme early in the New Year and look forward to receiving their views. In the meantime, parish councils are encouraged to inform their residents where they have a strong view about local schemes.*

*We have been very keen to offer in-person events as well as online, but Covid-19 has unfortunately meant they are being held outdoors, and as it is December, it is dark early. There are online sessions for residents for whom the outdoor events are unsuitable, where participants can hear about the process and ask questions. We are currently in the initial stages of the consultation and there will be plenty of opportunity for parish councils and residents to contribute to the process throughout the co-design phase.*

**Supplementary Question:**

Councillor Warren. As you know I and my community have supported the liveable neighbourhood scheme and raised the concerns of my village nervousness about the potential large scale housing developments so I asked for just the simple parish scheme to be consulted upon. The consultants have ignored that request to work with the Parish and what should be a good idea has created bad feelings. They could and

would have made available the village hall if they had been asked as opposed to being told!

Will you please make sure their concerns/ /bordering on anger is passed back to the consultants and they recognise that the parish is the closest form of community democracy?

**Answer from: Councillor Sarah Warren**

*Yes of course and I am sorry that the Parish Council have been left feeling like that.*

<b>M</b>	<b>43</b>	<b>Question from:</b>	Councillor Paul May
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Cabinet and, subsequently, Council, agreed the extension to the Virgin Care contract under false circumstances. Does change of the company involved in a formal contract now invalidate that contract? Will the council seek independent advice on this issue? Will the council also ask the CQC to inspect the contractor's quality performance as a matter of urgency?

**Answer from: Councillor Alison Born**

*The recent announcement on the sale of Virgin Care came as a total shock to both the council and the CCG. A statement is being made at Cabinet this week and we are seeking independent specialist advice, including a full due diligence review.*

<b>M</b>	<b>44</b>	<b>Question from:</b>	Councillor Paul May
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If the updated Local Plan is approved by independent planning inspectors early in 2022, it will become the approved Local Plan until 2029, unless the WECA SDS is approved later next year. As local elections in B&NES will be held in May 2023, this will make it difficult for existing councillors to engage effectively. Is the council, therefore, prepared to make representations to WECA to delay the SDS until mid-2023 (a delay of six months) to allow sitting councillors to engage with the process without constraints?



**Answer from: Councillor Tim Ball**

*The draft SDS is due to be agreed in Spring 2022, well before the local elections 2023. It is then due to be submitted to the Secretary of State in late 2022 to be considered at subsequent hearings. Therefore key decisions are due to be taken well in advance of the local elections.*

<b>M</b>	<b>45</b>	<b>Question from:</b>	Councillor Paul May
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Your leadership of the Culverhay Working Group to provide high quality learning and skills experiences for young people has shown the need for opportunities to be developed. WECA only funds post-18 adult education but can be used to seek capital support for an exciting schools, council, college and university partnership linked to employment valued qualifications. Will the council seek a memorandum of understanding to progress the scheme and promote the concepts to parents and students?

**Answer from: Councillor Dine Romero**

*Alongside our work to provide SEN provision for under 16's at Culverhay, the council is actively engaged with Bath College to undertake the feasibility study to develop 14-18 vocational use at this site.*

*The Feasibility study will engage with key stakeholders (Including Schools and the University) to assess demand and need and consider the skills base that the offer will need to include.*

*This study will support any approach to WECA for funding towards build/infrastructure costs and as part of the business case, will present the partnership structure to deliver, either through an MoU or other documented mechanism.*

<b>M</b>	<b>46</b>	<b>Question from:</b>	Councillor Paul May
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You kindly confirmed your agreement to the concerns expressed by Scrutiny Committee members by their unanimous vote that there is a need for a council decision to separate adults/health from children's services scrutiny, yet no debate has been allowed. Is it democracy when officers

do not allow legitimate concerns to be aired? If they have reasons, they should present them in an appropriate way at a member meeting rather than just blocking the discussion.

**Answer from: Councillor Kevin Guy**

*Scrutiny is a council function. The Council can debate this issue by the scrutiny committee referring this matter to it. Rule 13 of the Policy & Development Procedure Rules details the process. I would encourage the PDS panel to follow the process and in particular to identify the source of funding for the additional expenditure from within existing resources*

<https://democracy.bathnes.gov.uk/documents/s67849/Part%204%20E%20Overview%20and%20Scrutiny%20procedure%20rules.pdf>

**Supplementary Question:**

Leader, thank you for providing me with the rules relating to this request. I am of course aware of the officer line that the committee should identify the source of funding for any additional expenditure.

So my questions are... will the officers assist in doing that?

...also do you accept that by splitting the two roles there will be considerable total savings eg there will voting and representatives from the trade unions, the head teachers, the COE and catholic diocese reps will halve their time, the cabinet members time will be cut in half, the three council directors time will be cut in half and the committee clerk time will remain the same so the only additional cost would be for committee chairs but using rule 8 the existing committee could set this up as a sub body possibly chaired by the vice chair. ie less overall costs?

...Rule 13 also states the council will consider any formal recommendation at the next available meeting and this has not been done.

rule 15 gives clear indications that within 2 months of a PDS committee recommendation it will be responded to including officer advice?

**Answer from: Councillor Kevin Guy**

*A response will be provided within 5 working days. I support this as you know, the PDS Panel is log jammed. Officers are coming back to me on this.*

<b>M</b>	<b>47</b>	<b>Question from:</b>	Councillor Paul May
<p>You recently said you establish policies which officers implement and you have no influence over their role. Can you confirm whether councillors have powers to appoint or dismiss the three statutory officers of the council?</p>			
<p><b>Answer from: Councillor Kevin Guy</b></p>			
<p><i>This is a council power/function but there is a statutory prescribed process that Council must follow before Council can dismiss a Statutory Officer.</i></p>			
<b>M</b>	<b>48</b>	<b>Question from:</b>	Councillor Paul May
<p>Has Bristol Council responded about consultations on road closures close to our boundaries that affect our communities?</p>			
<p><b>Answer from: Councillor Manda Rigby</b></p>			
<p><i>Local authorities should contact neighbouring authorities when they have works which will have a significant impact on traffic on their roads or if they need to use their road network as part of a diversion. In a recent situation where there were closures on residential roads in Bristol close to the boundary with B&amp;NES, their diversion route was wholly within Bristol. We have since been in contact with Bristol City Council and put in place measures to improve cross-boundary communications. We are not aware of any incidents recently where Bristol City Council failed to notify B&amp;NES when we would have expected them to do so.</i></p>			
<b>M</b>	<b>49</b>	<b>Question from:</b>	Councillor Paul May

Can you please provide an update on the South Quays development? Have all of the building leases been let?

**Answer from: Councillor Richard Samuel**

*A response will be provided within 5 working days.*