CABINET MEETING 10th April 2013

REGISTERED SPEAKERS

Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

Statements about issues NOT on the Agenda

Cllr John Bull

Re: The Living Wage

Gerald Chown

Re: Petition: 20mph Speed Limits

Rosie McKeown (Envision Project, Chew Valley School)

Re: Public Transport Fares

• Laura Harrison (Envision Project, Chew Valley School)

Re: Public Transport Fares

Katie Purchase (Envision Project, Chew Valley School)

Re: Public Transport Fares

Dan Farr (Make Fares Fair)

Re: Bus Fares

Karen Abolkheir (Stanton Wick Action Group)

Re: Dec 2012 ORS updated Gypsy and Travellers Accommodation Assessment

Clarke Osborne (Stanton Wick Action Group)

Re: Gypsy and Travellers Accommodation Assessment

Paul Baxter

Re: Gypsy and Travellers Accommodation Assessment

Re: Agenda Item 13 (Somerset Minerals Plan)

- Cllr David Martin
- George Bailey

Re: Agenda Item 14 (Bus Priority Measures, Bath)

- Cllr Brian Webber
- David Redgewell

Re: Agenda Item 16 (Greater Bristol Metro Project)

- Duncan Hounsell (Saltford Station Campaign)
- David Redgewell

Re: Agenda Item 17 (Bath Transport Strategy)

David Redgewell

Re: Agenda Item 21 (WoE LEP Revolving Infrastructure Fund)

David Redgewell

Re: Agenda Item 22 (Radstock Capital Funding)

- Cllr Eleanor Jackson
- Amanda Leon (Radstock Action Group)
- George Bailey (Radstock Action Group)
- Lesley Mansell (Chair, Radstock Town Council)

Re: Agenda Item 23 (Home to School Transport)

- Raymond Friel (Head, St Marks School)
- Cllr Sarah Bevan
- Cllr Liz Hardman
- Brendon Rouse (Chair of pastoral council, St Mary's)
- Cllr Gabriel Batt

Re: Agenda Item 26 (Schools Expansion)

- Cllr Liz Harman
- Cllr John Bull
- Kirsty Withyman
- Gary Yoxall (Governor, Paulton Infants School)
- Jim Crouch (Chair of Governors, Paulton Junior School)

QUESTIONS AND ANSWERS - COUNCILLORS

M 01 Question from: Councillor Anthony Clarke

When will the Council's latest assessment of the suitability of sites for an eastern Park and Ride be published and a preferred site be selected?

Answer from: Councillor Roger Symonds

We have now received 2 reports reviewing a number of possible sites for a new P&R to the East of Bath. One looking at the potential for a new station at Bathampton the other looking at a number of bus based options. It is true to say that there are no easy answers and any proposal we bring forward will be a compromise. We have yet to select a preferred site but would hope to later in the year.

Supplementary Question:

Thank you for your reply. Can the Cabinet member confirm whether the sites being explored for Bath are within the authority's boundaries?

Answer from: Councillor Roger Symonds

Yes.

M 02 Question from: Councillor Nigel Roberts

Coach parking at Odd Down playing fields has cause a number of issues for those that live locally with traffic not following the correct routes through narrow streets, with the new cycle facility and potentially a 4G pitch, please could there be an assurance that the car park will not be used for parking this year?

Answer from: Councillor Roger Symonds

My understanding is that development work at Odd Down Playing Fields is likely to prevent use of the car park at the time of year when it has previously been used to accommodate coaches which bring visitors to the Christmas Market.

Highways Officers will shortly be considering traffic management arrangements for the market when they assess the proposals for this year's event and this will need to take account of the proposed development work.

M 03 Question from: Councillor Eleanor Jackson

I would like to ask Cllr Symonds at the next cabinet meeting what a crossing over the A362 in Writhlington would cost.

Answer from: Councillor Roger Symonds

It is difficult to calculate an accurate cost for a crossing without investigating the proposed site in detail but a signalled crossing on the A362 would cost a minimum of £75,000 and could be costlier depending on site constraints.

Cost is not the only factor which needs to be taken into account when considering formal crossings. Department for Transport guidelines decree that formal pedestrian crossings can only be provided at specific locations where significant numbers of pedestrians cross a road with high traffic flows. The A362 carries the requisite high flows, however no locations where sufficiently high numbers of pedestrians cross have been identified.

Supplementary Question:

Has it occurred to the Cabinet member that the reason for the request is because of the danger of cars approaching round the bend at speed, and that a crossing would enhance safety and would encourage more children to walk to school?

Answer from: Councillor Roger Symonds

I will consider all the points made. I am aware of the issue and I know the crossing point. I will investigate the possibilities.

M 04 Question from: Councillor Brian Webber

Residents of the Vineyards, Bath, have reported to the Council their concerns about the condition of the footway, railings, railings base and roadside walls of the vaults below the footway. Council officers have carried out preliminary investigations. Please may I know where matters currently stand on establishing what needs to be done and on whom responsibility rests for carrying forward any remedial measures? £10,000 has been earmarked in the 2013/14 Highways Structural Maintenance Capital Programme for work at the Vineyards. What is this for?

Answer from: Councillor Roger Symonds

Preliminary investigations indicate that reconstruction works are required to some sections of the vault end walls together with resetting of the footway slabs and handrail. Responsibility for the maintenance and repair of the vault end walls rests with the respective property owners whilst responsibility for the footway surface and railings rests with this Council in its capacity as Highway Authority. The £10,000 capital allocation is to prepare a detailed cost estimate and programme of remedial works for construction during 2014/15. Prior to implementation it will however be necessary to agree an apportionment of cost between the private owners affected and the Council.

M 05 Question from: Councillor Brian Webber

79A St John's Road, Bath, is an overgrown derelict site adjacent to Bridgemead care/nursing home. Not for the first time, vegetation from the site is obstructing the footway and has been reported to the Council. Please may I know what steps the Council is taking to remove the obstruction and to persuade the site owner to tidy up and secure his land?

Answer from: Councillor Roger Symonds

Officers have established the ownership of the land and have arranged for the offending vegetation to be cut back. Officers will contact the landowner to request that action is taken to secure the site and safeguard the public.

M 06 Question from: Councillor Brian Webber

What was the total cost (approximate, if necessary) of the refurbishment and conversion of the buildings now largely occupied by The Roman Baths Kitchen?

Answer from: Councillor Cherry Beath

The capital cost of the refurbishment and conversion of the buildings now largely occupied by The Roman Baths Kitchen was shared with the Council's caterer, Searcy's. The Council's share of these costs totalled £1.13 Million.

M 07 Question from: Councillor Brian Webber

Is the Council now receiving any income from its agreement with the Thermae Bath Spa (after allowing for any ongoing inspection or maintenance responsibilities which the Council may retain)? If so, how much (approximate, if necessary)?

Answer from: Councillor Cherry Beath

The Council does receive a net annual income from its agreement with the Thermae Bath Spa (after allowing for ongoing inspection or maintenance responsibilities which it retains). This is expected to total in excess of £400k in the financial year just ended (2012/13).

M 08 Question from: Councillor Vic Pritchard

During the Full Council budget debate you stated that the Council's reserves were required for investment in Children's Services and Adult Social Care. What proportion of the Council's reserves are to be earmarked for adult social care and children's services this year and how much are anticipated to be allocated for this purpose in future years?

Answer from: Councillor David Bellotti

I think you must be referring to comments I made that the Local Government Association has published information which shows by 2020 Council's will only have funds to provide for Adults Services and Children's Services.

The Council in our budget approved in February this year has taken steps to avoid this outcome and enable us to provide other services beyond 2020. We have approved a budget for one year and an indicative budget for a further two years. We are facing a 40% cut in government funding over the next three years but because of our prudent financial management frontline service reductions will be limited to around £3M on average for the next three years which is equivalent to about 1.3% of our total budget each year. We have set a zero council tax increase for the second year running.

One of the reasons we have achieved this outcome is that the Council has reduced the borrowing requirement set by the previous Council administration and identified considerable savings and efficiencies.

All earmarked and general reserves are clearly set out in the budget papers approved by Council in February this year.

M 09 Question from: Councillor Vic Pritchard

When will the Cabinet Member bring forward proposals relating the amendment tabled by myself on changes to Council Tax discounts and benefits at the November Council Meeting?

Answer from: Councillor David Bellotti

I think you are referring to item 62 of the November 2012 Council Meeting on Council Tax Technical Changes for Discounts and Exemptions, although I can find no mention of your name as the proposer of any amendment.

I can confirm that in line with the minute of that meeting the Council factored into its budget approved by Council in February 2013 all the financial implications of the decisions taken at the November 2012 Council meeting.

The policy is in force from April 1st 2013.

Supplementary Question:

The Cabinet member says that he can confirm that the Council factored in all the

financial implications. This is not in fact what happened. Will you keep your promise that you would explain this "after 1st April" and will you confirm how much of the Council Tax discount exemption you will put into a contingency fund for those suffering hardship as a result of the changes?

Answer from: Councillor David Bellotti

I'm delighted to confirm that we have no need of a contingency fund. The finances allowed for the inclusion of a hardship fund within the amount budgeted for the changes and this is already operational.

M 10 Question from: Councillor Tim Warren

Can the Cabinet Member please provide the latest timetable for the delivery of the Rossiter Road project?

Answer from: Councillor Roger Symonds

The Council is committed to the works associated with the highway changes and public realm improvements in Widcombe Parade. The project current in the design phase. On completion of the detailed design a detailed construction programme will be developed. It is anticipated that construction will commence in 13/14 and be complete in 14/15.

M 11 Question from: Councillor Tim Warren

Has the Cabinet Member yet held any discussions with the Local Enterprise Partnership or Bristol City Council relating to the idea of creating a Park and Ride for the A37, and if so, what was the outcome of these discussions? Will the inclusion of an A37 Park & Ride be considered when the JLTP is next refreshed?

Answer from: Councillor Roger Symonds

There have been no discussions with the LEP (or Bristol City Council) in recent years on the possibility of developing a new P&R on the A37. Such a proposal could be considered in the preparation or refresh of the Joint Local Transport Plan

M 12 Question from: Councillor Tim Warren

In answer to a question from myself the Cabinet meeting last March, you agreed to begin discussions with First Bus on the possibility of creating a discounted season or

monthly pass for the Park and Ride services as well as a cheaper Group Pass. Can you please provide an update on progress with these matters?

Answer from: Councillor Roger Symonds

We have regular quarterly meetings with First Group about the Park & Ride Service and raised this with them at our meeting in March. First have extended their season tickets to include the Bath P&R services, although for most users the 10 journey tickets will remain the best value option. First are currently considering the introduction of a Family Ticket, and are undertaking further work to understand how many children are traveling in family groups, as the Council needs to understand what would happen to the current entitlement that allows up to 5 children to travel free with a paying passenger. There is a particularly complicated issue to consider when a holder of a Concessionary Pass (those eligible by age or disability) wishes to travel with children, and we would need to understand what charge, if any, would be made in these circumstances.

M 13 Question from: Councillor Tim Warren

Has the Cabinet Member yet decided what project the Council will bid for from the Government's recently announced Pinchpoint funding?

Answer from: Councillor Roger Symonds

The Council submitted a bid for highway improvements associated with the Radstock Regeneration project to both reduce congestion in the town and facilitate development. We are currently waiting to hear from the DfT whether the bid has been successful.

M 14 Question from: Councillor Francine Haeberling

When does the Cabinet Member anticipate undertaking a public consultation of Saltford residents' views on proposals for reopening Saltford Train Station?

Answer from: Councillor Roger Symonds

The work to undertake a the High Level Option Assessment of the case for re-opening Saltford Station will now be commissioned and I would anticipate a consultation with residents being undertaken later this year. The work has not been possible to commence while there was uncertainty over the future of the Great Western Franchise the timetable for which has only recently been confirmed.

M 15 Question from: Councillor Geoff Ward

In respect to the Woolley Valley Golden Valley Paddocks planning issue, what have been the costs so far of:

- 1. B&NES legal representation at the failed Judicial Review;
- 2. Award of costs for the failed Judicial Review;
- 3. External planning Consultancy fees?

What is your estimate of man days for the Planning Officers and Management time undertaken so far?

Answer from: Councillor Tim Ball

- 1. £59,225
- 2. £54,000
- 3. £10,000 'estimated' for cost on external consultants/legal advice. Estimated because of on-going case.

We do not currently have detailed timesheets and so we cannot give a figure.

M 16 Question from: Councillor Geoff Ward

When does the Cabinet Member anticipate bringing forward proposals relating to the extension of the Green Belt, as agreed during Core Strategy Full Council debate?

Answer from: Councillor Tim Ball

The decision made by Full Council on 4th March 2013 was "To request that Cabinet consider a review of the Green Belt to the south of the district, with a view to extending the Green Belt to incorporate areas currently south of the Green Belt boundary".

This review is now underway and can be timetabled to report back to the June Cabinet meeting after being considered by the LDF Steering Group in May. In addition, the option to extend the Green Belt southwards can be raised during the forthcoming public consultation events, especially those in the south of the District. Any comments received, along with the results of the review, can be presented to the Inspector for consideration during the examination hearings.

M 17 Question from: Councillor Geoff Ward

According to the Council's best estimates, how many HMOs existed in Oldfield Park, Westmoreland and Widcombe in April 2011 and April 2012 and how many exist in these areas today, broken down by ward?

Answer from:	Councillor ⁻	Γim Ball
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The Planning Department started to investigate the issue of HMOs in Bath following a Cabinet decision in June 2011. At this stage we began to collate data from various service areas e.g. Housing and Council Tax. We did not collate data for April 2011 as

this is before the start of the project. We tend to collate data for September each year. In September 2011, we published an <u>Article 4 Direction for HMOs Feasibility Study</u> p23-24 which summarised the data we had collated to date. The data is available by super output area (shown on maps in the report) and is summarised for the wards in question below:

Area	No. Student Houses	No known HMOs	Total number of dwellings
Oldfield Park North	151	164	515
Westmoreland	130	124	590
Westmoreland West	129	105	619
Oldfield Park West	115	112	586
Lower Twerton East	90	93	514
Oldfield Park	95	80	628
Widcombe St Marks	83	11	557

At September Cabinet 2012, we reported estimate HMO numbers in these three wards to be within the range 700 – 1400. This uncertainty is due to the fact that small HMOs do not currently have to register with the Council (as they fall below the mandatory licencing thresholds in terms of size or number of floors) and that not all HMOs are student HMOs (and therefore are not Council Tax exempt). According to the 2012 Housing Conditions survey HMOs in these wards make up almost 1/3 of the total number of HMOs in B&NES.

Housing Services published an evidence report for Additional Licencing of HMOs in September 2012

(http://consultations.bathnes.gov.uk/consult.ti/additionallicensing/consultationHome Appendix 7)

Table 1 on page 10 outlines the latest data on HMOs by Ward. In relation to the three wards in question it states that:

- Westmoreland 412 HMOs known to Housing Services of which 62 mandatory licenced and 310 Council tax exempt
- Oldfield 312 HMOs known to Housing Services of which 54 mandatory licenced and 323 Council tax exempt
- Widcombe 421 HMOs known to Housing Services of which 62 mandatory licenced and 310 Council tax exempt

There is a great deal of further data available this evidence report. Our data is constantly being improved and refined as we undertake further work in this area. Next steps in relation to HMO monitoring data

If we proceed to implement Additional Licencing of HMOs we will then hold very accurate data on all HMOs in these three wards – in particular our data will be improved in relation to smaller HMOs not picked up under mandatory licencing and non-student HMOs not picked up by the voluntary accreditation scheme or Council Tax exemption. It is this enhanced data set which will be used to assist with the determination of

Planning Applications triggered by an Article 4 Direction and the implementation of a percentage threshold policy (via the HMO Supplementary Planning Document) should this be introduced.

Formalised monitoring arrangements would need to be put in place alongside these items should the Council decide to implement the Additional Licencing/Article 4 Direction.

M 18 Question from: Councillor Geoff Ward

Can the Cabinet Member please provide a timetable for the production and approval of the B&NES Placemaking Plan, following publication of the Launch Document in May?

Answer from: Councillor Tim Ball

The programme for the preparation of the Placemaking Plan, including its scope and key milestones, will be set out in the 8th May Cabinet Report on the Launch Document.

M 19 Question from: Councillor Anthony Clarke

What public consultation took place before a decision was taken to make the minimum time for visitor parking in Bath Residential Parking zones 4 hours? When was this decision taken?

Answer from: Councillor Roger Symonds

Consultation commenced with the parking survey that was sent in May 2012 to over 25,000 households within Bath. This included sections on the system which was due for replacement and a comments section to provide feedback on any issues they felt relevant. The general themes from that consultation were used to develop the specification for a new system.

Data from the previous system regarding the length of all visitor stays made in the last 12 months were also used to inform decision making.

The preferred (best value) replacement system could, at the time of purchase, only configure visitor stays as ½ or full days although a module has since been developed which has the ability to activate in hours in time (which would be at an additional cost should it be purchased).

The decision to implement the preferred system was taken by the Divisional Director for Environmental Services in conjunction (and after consultation) with me on 29th January 2013. I have agreed that the 4 hour minimum stay will be reviewed after the 3 months of operating the new system.

M 20 Question from: Councillor Charles Gerrish

Could the Cabinet member please explain the response from Council Connect on 27 March to a request from local a resident regarding a damaged bench at the bus stop on Charlton Road near Lockingwell Road, Keynsham? The bench has been removed but the resident has been told it will not be replaced this year (13/14) because there are no funds. This seat is regularly used by elderly bus users and this action does not seem to fit with council policy to encourage use of public transport or care for more vulnerable members of the community - how can there be no funds for this replacement at the start of a financial year?

Answer from: Councillor David Dixon

Thank you for raising the issue, the bench is owned by this Council and funding for replacement is now available in the new financial year 2013/2014.

I have asked officers to prioritise this bench for replacement and to liaise with the Town Clerk for Keynsham Town Council to ensure that the replacement is in keeping with other benches along Charlton Road, some of which are owned by Keynsham Town Council.

Supplementary Question:

Can the Cabinet member explain why local residents were told there was no budget available, and why have you only identified a budget for this after I submitted the question?

Answer from: Councillor David Dixon

I'm not aware of conversations held with your residents. I can however confirm that a budget is available for this work.

M 21 Question from: Councillor Charles Gerrish

Why have not highways taken action to remove railing near parking area serving 184 Charlton Road Keynsham? This railing was damaged by a car accident on 22 March, a member of cleansing team has moved it so it does not block the pavement but it remains in situ. A resident has again been told it will not be replaced - why is this the case? The railing must have been positioned initially for safety reasons, therefore does this action reflect a change in approach to pedestrian safety?

Answer from: Councillor Roger Symonds

Highways officers have arranged for the damaged railing to be removed. There is no change in approach to road safety. An officer from Traffic and Safety will assess the site to determine whether the railing was serving a meaningful purpose. If the railing is considered to benefit the safety of pedestrians it will be replaced.

M 22 Question from: Councillor Patrick Anketell-Jones

When will the next stage of public consultation take place on the future of the Riverside office site in Keynsham and what form will this consultation take?

Answer from: Councillor Cherry Beath

As part of the redevelopment of the Keynsham Town Hall site B&NES has undertaken some initial design work on the potential master plan for the Riverside site. B&NES are now in detailed discussion with the owner of the Riverside lease to investigate options for redeveloping the site. Once these discussions have been concluded it is proposed the Community Focus group will be re engaged to clarify the community issues with a wider public consultation being completed prior to any planning application.

M 23 Question from: Councillor Patrick Anketell-Jones

Can the Cabinet Member provide an update on when the coverage map and roll-out timetable for the B&NES BDUK project is to be published?

Answer from: Councillor Cherry Beath

The CDS partners are working to ensure that as much information as possible is made available, but we do have to work to make sure that expectations are appropriate. We don't want businesses or residents to make investment decisions based on information that could well change. For example, BT will make a detailed survey of each area before finalising the rollout plans. At around 120 days prior to the milestone for when service can begin to be provided to premises, BT will make the details public via the Openreach broadband checker, as they do with any rollout. CDS also respects the commercially confidential nature of some of the information, and some information we may not be able to release.

M 24 Question from: Councillor Tim Warren

How much additional revenue does the Council anticipate it will raise from altering the minimum stay for visitor permits in Residents Parking zones to four hours?

Councillor Roger Symonds

The Council does not anticipate it will raise any additional revenue from altering the minimum stay for visitor permits in Residents Parking zones to 4 hours. The period of 4 hours was selected as this length of time will ensure that the costs associated with

administering the permit and activation of the stay are covered and the existing level of revenue will be maintained.

This assumption was made using data based on activations from the previous system over the last 12 months. The decision to implement the 4 hour minimum will be reviewed after the system has been operating for 3 months and data from the new system will be used to confirm whether the hourly minimum can be reduced without impacting on revenue. Should the data show that the assumptions made do not reflect the current position then the minimum stay will be reduced.

QUESTIONS AND ANSWERS - PUBLIC

P 01 Question from: Alderman Terry Reakes

I note in the press that Clutton now have a pedestrian crossing installed on the A37, which I applaud. However, after years of campaigning by myself, Cllr Eleanor Jackson and others there is still no pedestrian crossing on another busy road, the A362 Writhlington Radstock. I ask again Roger why is this state of affair allowed to continue, it is shameful. I have copied in Jacob Rees Mogg MP for North East Somerset, whilst it is not strictly his remit he may wish to give an opinion and suggest a way forward. I have included previous emails to remind you of how long it is since I brought this issue before Banes. You will see from the correspondence below it was 2004. Attachments relate to accidents and traffic flow on the A362 Frome Road. Incidentally could you tell me what would it cost to install a pedestrian crossing on the A362?

Answer from: Councillor Roger Symonds

There are currently signalled crossings on the A362 Frome Road, at Manor Road, Writhlington, and at Radstock Town Centre. Department for Transport guidelines decree that formal pedestrian crossings can only be provided at specific locations where significant numbers of pedestrians cross a road with high traffic flows. The A362 carries the requisite high flows, however no locations where high numbers of pedestrians cross have been identified. If the Alderman could suggest a site where a crossing would be well used, the Council will carry out counts to establish the numbers of pedestrians crossing, and whether a formal crossing could be justified.

P 02 Question from: Anne Robins

E2439 Bus Priority Measures

I have read this proposal with interest and would request a written response to the following.

First I am relieved to see that some of the concerns of residents of the Empire have been addressed in that we shall still be able to exit the city by an alternative route (ie Dorchester St) during current 'bus gate hours' when it is not appropriate or possible to use North Parade.

However I would appreciate clarification on what contingency arrangements have been made for residents to enter the city by car and reach our homes and underground parking during the proposed new Dorchester St eastbound restriction hours of 10am-4pm when, as inevitably will happen on occasion, North Parade is inaccessible. Paragraph 6 on Risk Management does not mention such risks nor the contingency arrangements proposed.

For example in December 2012 on at least 2 occasions North Parade was closed to traffic by police managing an incident and an accident. On at least one other occasion that same month there was gridlock on North Parade for more than 20 minutes. I was affected on all 3 dates, twice when dealing with medical arrangements for my husband. I have been told by the lead officer that during the accident mentioned above the 'bus gate' restriction was lifted; however I was not made aware of that by the police at the time.

Therefore will residents be able to assume that if North Parade is closed through accident or incident (or is subject to gridlock for, say, at least 15 minutes) during the Dorchester St eastbound restriction times of 10am-4pm that we can access our homes and parking by driving through the existing 'bus gate' or the new Dorchester St restriction without penalty?

If we cannot make this general assumption, how will we be able to find out when the 'bus gate' restriction has been lifted so that we can plan how to reach our homes?

Answer from: Councillor Roger Symonds

Incidents on the highway, such as on North Parade are rare, but when they occur these incidents are managed jointly between the police and the Council's Traffic Manager who will decide whether bus gate restrictions need to be lifted on a case by case basis. As incidents on North Parade would mainly affect city centre residents travelling to their homes, one option may be to park temporarily in local car parks (eg leisure centre or cricket ground car park) until temporary restrictions are lifted.