

## CABINET MEETING 8<sup>th</sup> May 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**

- Gillian Risbridger (Transition Transport and Built Environment Group)  
Re: Bath 20mph speed Limit Schemes
- 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 and the DPD
- Matt McCabe (Chew Valley and Wansdyke Broadband Group and a Director of Wansdyke Telecom, a Community Interest Company)  
Re: Rural Broadband

#### **Re: Agenda Item 13 (Grand Parade and Undercroft)**

- Caroline Kay (Chief Exec, Bath Preservation Trust)
- Anne Robbins (The Empire Owners Association)

#### **Re: Agenda Item 14 (Local Engagement Framework)**

- Tony Crouch

#### **Re: Agenda Item 15 (Placemaking Plan Launch)**

- Caroline Kay (Chief Exec, Bath Preservation Trust)

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Brian Webber
<p>As regards the multi-coloured hoarding alongside the derelict Cornmarket in Walcot Street –</p> <p>(a) does the Council own the hoarding?</p> <p>(b) does the Cabinet Member agree that the hoarding does not enhance or preserve the Conservation Area or the universal value of the World Heritage Site?</p> <p>(c) does the Council's apparent indifference to the condition of the hoarding contrast unfavourably with the vigour with which the Planning Department sometimes pursues minor infractions by small businesses and homeowners of the Listed Buildings legislation?</p> <p>(d) several years ago I was advised by the Director of Property Services to be patient as there were hopes that a purchaser willing to restore the Cornmarket could be found. Is that still a realistic possibility in the foreseeable future?</p> <p>(e) in the meantime, what might be done to mitigate the eyesore?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p>(a) Yes</p> <p>(b) <i>The hoarding is a necessity to secure the site. The designs on the hoarding are the result of Council sponsored art projects. These projects have been coordinated by the Fringe Arts, Centre 69 Youth centre and Bath YFC. They replaced the more conventional design. The last 're-paint' was in 2010.</i></p> <p>(c) <i>The Council is not indifferent to the condition of the hoarding. The building and hoardings are regularly inspected by the Council's void inspector and any necessary repairs quickly put in hand.</i></p> <p><i>The Council has a statutory duty to comply and enforce where necessary all planning legislation including that relating to listed buildings.</i></p> <p>(d) <i>Unfortunately the prospective developer for the Corn market withdrew at the time of the recession. Marketing agents have now just been appointed for both the Cornmarket and the Cattle Market. Initial unsolicited approaches from interested parties suggest that there is now a reasonable prospect of development.</i></p> <p>(e) <i>It is anticipated that approach to be adopted by the marketing agents will be clarified in the next few weeks. At that stage it will be possible to provide a reasonable estimate of the anticipated time period before work on the building will start. If the period is likely to be lengthy then consideration might be given to repainting. The options for this could be raised with the Arts Development team.</i></p>		
<b>M 02</b>	<b>Question from:</b>	Councillor Brian Webber
<p>At the junction of Gay Street (North) and George Street, Bath, there is a yellow box (recently refreshed) on the western side of the road. Its object (presumably) is to facilitate the exit of vehicles from Gay Street (North). How does the yellow box achieve</p>		

that object if there is no yellow box on the eastern side?

**Answer from:**

Councillor Roger Symonds

*The yellow box was installed to make it easier for vehicles exiting Gay St (north) to go straight on into Gay St (south). Before it was installed drivers wishing to make this manoeuvre had to fight their way through 2 lines of queuing traffic. By keeping the eastbound lane clear, drivers can concentrate on the westbound traffic and exit more easily by crossing the box into the westbound lane.  
If there was another box on the westbound lane, vehicles exiting Gay Street (north) would end up standing on the box, which is illegal, hence there is no box in this lane.*

**M 03**

**Question from:**

Councillor Brian Webber

Question withdrawn by Councillor Webber

**M 04**

**Question from:**

Councillor Brian Webber

Before the local planning authority took the decisions which were successfully challenged by judicial review by Gazelle Properties Limited in December 2010 and SWVAG Limited in July 2012 did the Divisional Director of Legal Services personally review the advice on which those decisions were taken?

**Answer from:**

Councillor Paul Crossley

*No. In both cases, experienced planning counsel was engaged prior to the decisions the subject of challenge being taken and advised the Council on the relevant legal issues.*

**M 05**

**Question from:**

Councillor Brian Webber

Have daytime counts of vehicle numbers been taken in Dorchester Street, Manvers Street, Pierrepont Street or North Parade (East) in the past three years? (Yes or No; I do not ask for the data to be annexed). Did the counts extend to asking drivers their destinations?

**Answer from:**

Councillor Roger Symonds

*Yes. Counts were undertaken in 2012.  
No origin and destination interviews were undertaken, but Automatic Number Plate Recognition (ANPR) cameras were used to track the movement of vehicles passing through the main exit/entry points on the southern, eastern and western sides of the city and through Dorchester Street. This is a more cost effective and comprehensive way of determining existing vehicle paths on the highway network and how traffic may re-route as a result of the proposed Dorchester St Bus Gate*

<b>M 06</b>	<b>Question from:</b>	Councillor Tim Warren
Can the Cabinet Member please confirm whether Lansdown Lane in Weston is to be included in the roll-out of 20mph limits?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>Lansdown Lane will be included in the 20mph limit from just north of Napier Road, southwards. This terminal point coincides with the existing 30mph terminal point, so vehicles travelling downhill on Lansdown Lane will enter a 20mph limit at the point where they currently enter the existing 30mph limit.</i>		

<b>M 07</b>	<b>Question from:</b>	Councillor Tim Warren
How much additional revenue does the Council expect to raise (p.a.) from the changes to evening parking charges/times at Bath car parks and what impact does the Council anticipate these changes will have on the number of vehicles using these car parks?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>The removal of a small number of tariff bands as part of the MTSRP savings is anticipated to increase income by £100k per annum. The specific changes to the evening charges are anticipated to achieve between £5k and £10k per annum of this target.</i>		
<i>Harmonising the charges in all car parks regardless of the time of day will provide a simplified charging regime for all users whilst still providing the opportunity of free parking for all after 8pm. As a number of other car parks and on-street parking areas are also available, the numbers of vehicles using the car parks is anticipated to remain similar to current levels.</i>		
<b>Supplementary Question:</b>		
How much consideration was given to the detrimental effect on the evening economy in making the decision?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>The evening charges have increased from £1.50 to under £3; but had not been increased for a number of years prior to that. Consideration was given to the impact on the evening economy. It must be said that daytime charges were not increased at all.</i>		

<b>M 08</b>	<b>Question from:</b>	Councillor Tim Warren
Can the Cabinet Member please detail what status Community Speedwatch groups will have within 20mph zones. Are Community Speedwatch groups recommended by the police and Council to continue to operate within 20mph zones and will 'warning' notices		

continue to be issued to drivers caught speeding by Community Speedwatch groups within 20mph areas?

**Answer from:**

Councillor Roger Symonds

*Police Traffic Management were asked to supply an answer to this question, which they have given as follows:*

*“To the best of my knowledge, Community Speed Watch is still possible within 20mph areas but I would remind you of the Force stance as previously stated in relation to 20mph speed restrictions; it is important that the proposed speed limit should be appropriate to the area and beneficial in road safety and environmental terms. Equally important is that the form of speed limit chosen should be self-enforcing wherever possible by various means; by existing road layout or the introduction of engineering measures. It is recognised that currently 20mph limits are mostly used in urban areas, such as residential roads (particularly narrow ones), town centres and around schools and nurseries.*

*“As a Force, we do not oppose the introduction of 20mph schemes such as are being proposed across the B&NES area, but at the same time, we continue to encourage the inclusion of engineering features to promote effective speed reducing measures.*

*“20mph speed restrictions will be treated in the same way as any other speed limit in the Avon and Somerset Police area in that enforcement will not be routine but will be intelligence led and where there is evidence of clear and excessive offending, accompanied by an aggravating factor, ASC may consider enforcement where appropriate.*

*“Thus, within a Community Speed Watch area, whilst advisory letters may be issued, enforcement criteria remain as per the force stance.”*

**M 09**

**Question from:**

Councillor Tim Warren

What spare capacity will exist on Rossiter Road once the Rossiter Road project is completed, in terms of number of vehicles per hour at peak times? How much spare capacity exists on the A36 Rossiter Road/Widcombe Parade at present?

**Answer from:**

Councillor Roger Symonds

*The information requested needs to be extracted from the modelling work undertaken by our consultant. Officers will request this information and reply direct to Councillor Warren with the information once it is available.*

**M 10**

**Question from:**

Councillor Tim Warren

What consultation was undertaken before deciding upon the pricing levels for the Odd Down cycling circuit? How much revenue does the Council anticipate it will raise from the cycling circuit each year?

**Answer from:**

Councillor David Dixon

*The Council has a 15 year obligation to British Cycling to ensure the site is well maintained as well as the formation of a Cycling User Group at the Site, with the 3 main cycling clubs in the Authority. Therefore, the Council needs to ensure that it has an on-going maintenance budget, as well as creating a ‘sinking fund’ in order that it is self-financing for the future benefit of the whole community. The Council, British Cycling and the Clubs are also ensuring that sessions are open to everyone, from pre-school*

*through to sessions for over 50's, from novice cyclists and elite racing. More sessions will be introduced, once demand dictates and resources allow.*

*2013/14 Odd Down Cycling Circuit fees and charges for the hire of the Cycling Circuit have been agreed with British Cycling (who provided funding for the circuit) and benchmarked against other similar facilities. For this initial year of operation the fees have been set low in order to help market the facility.*

*A business model was prepared in conjunction with British Cycling and we are looking at a projected income in the region of £10k, for 2013/14. Usage levels will be assessed and all charges will be reviewed in line with the budgetary process for 2014/15.*

**Supplementary Question:**

This is a great facility; but can I use it as a resident who is not a member of a cycling club?

**Answer from:**

Councillor David Dixon

*You certainly can. There are public sessions, over-50 sessions, women's sessions and child sessions. Many organisations are coming forward to book an increasing number of events.*

**M 11**

**Question from:**

Councillor Charles Gerrish

What discussions have taken place in recent times with Taylor Wimpey regarding the creation of a second access road into the Somerdale site, the need for which is specified within the Core Strategy? What has been the outcome of these discussions?

**Answer from:**

Councillor Tim Ball

*As part of the pre-application preparation by Taylor Wimpey our consultants updated the Keynsham PARAMICS micro-simulation model and a number of test scenarios were run at Taylor Wimpey's expense. Taylor Wimpey have used this work as the basis for their planning application. They remain of the view that a single access would be acceptable for their proposal. However we have made it clear that we considered that none of these scenarios (using a single access) would be acceptable to the Highways Authority as a solution to the development proposed. Subsequently Taylor Wimpey's consultants have submitted a high level review of the transport issues around the access for discussion at a meeting to be arranged.*

**M 12**

**Question from:**

Councillor Patrick Anketell-Jones

In answer to a question I tabled in January, you stated that you anticipated publishing plans to deliver ultrafast Broadband of up to 100 Mbps to the Bath Enterprise Area and wider Bath this Spring. Can you please provide an update on progress with this?

**Answer from:**

Councillor Cherry Beath

*There is ongoing work to develop a business case for Ultrafast Broadband to the*

*Enterprise Area and other business locations across B&NES. This includes mapping in detail the existing fibre network across Bath, understanding business need and exploring options for linking proposals to others across the West of England to access Government support through the Local Enterprise Partnership. This is complex and on-going work.*

<b>M 13</b>	<b>Question from:</b>	Councillor Patrick Anketell-Jones
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When the next stage of public consultation takes place on the future of the Keynsham Riverside site, how many design options will be available for public comment before a final preferred design is put to public consultation?

<b>Answer from:</b>	Councillor Cherry Beath
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*The Council is currently in negotiations with Topland, the head lessees of the Riverside block, and until there is a resolution to these negotiations, the Council is unable to provide the information requested.*

<b>M 14</b>	<b>Question from:</b>	Councillor Vic Pritchard
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At the last Cabinet Meeting, you stated that all the financial implications of the decisions taken at the November 2012 Council meeting were dealt with at the February budget. This is not the case and I shall therefore make a further attempt to illicit an appropriate answer on this matter.

At the November Council Meeting, under Agenda Item 9 (also referred to as Item 62 online), an amendment was moved by myself and accepted by you which stated: 'that the Cabinet be recommended to consider the allocation of additional sums collected from the technical changes, to supplement the Social Fund which is being delegated to Local Authorities, with particular reference to vulnerable groups adversely affected by the Council Tax Support changes'.

At the February Budget Meeting a total of £ £249,260 was allocated to the Social Fund, the amount devolved by Government. There was no additional allocation made by the Council. During the Budget debate, you stated this matter was still under consideration. However, the Cabinet has never responded to the request made in the amendment above.

Can the Cabinet Member please explain when the Cabinet will respond to this request and whether you are still considering whether or not to supplement the Social Fund (Welfare Support Scheme) with additional Council funds? Should the Cabinet choose not to agree to Full Council's request, will the Cabinet Member please detail how the funds raised from the changes to Council Tax discounts and exemptions have been spent?

<b>Answer from:</b>	Councillor David Bellotti
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*The Council Budget in February 2013 established the Social Fund with the £249K of funding devolved from central government. Throughout 2013/2014 the Cabinet will*

*monitor the Council's Outturn Budget position on a monthly basis, including the spending against the Social Fund. In the event the current allocation of resources to the Social Fund were to be identified as insufficient, the Cabinet would be able to consider allocating additional resources for this purpose from the Council's reserves. All funds raised from the changes to council tax discounts and exemptions were fully allocated in support of the Council Budget for 2013/2014.*

**Supplementary Question:**

This is a more encouraging reply than I received previously. Is this promise to be permanent? Will you add more to the fund if the existing commitment reduces during the year?

**Answer from:**

Councillor David Bellotti

*I'm happy to give that assurance. The funds were originally from government money, and I am confident that the allocation was realistic. If necessary, we will supplement the funds.*

**M 15**

**Question from:**

Councillor Paul Myers

Several complaints have been made, both to myself and the Council, regarding the poor state of repair of the pavement on Charlton Road (between Charlton Park and the newsagents) in Midsomer Norton. This is an important pedestrian route, particularly for school children and older residents accessing the newsagents. However, the Council has so far declined to take any action.

Will the Cabinet member please look into this matter and seek to resolve this issue in consultation with myself?

**Answer from:**

Councillor Roger Symonds

*When this issue came to the attention of our highway maintenance team, the area highway inspector visited site and could not identify any defects in the locality which met with our current levels for any maintenance intervention. As the Ward Member has raised further concerns, one of our maintenance engineers and the local area traffic engineer will investigate further and will report back to Councillor Myers*

**Supplementary Question:**

I suspect the highway inspector may have visited the wrong pavement, because this does not tally with my own knowledge of the site.

**Answer from:**

Councillor Roger Symonds

*Please arrange with the highway inspector to visit the site together, so that you can walk the length of pavement and discuss what needs to be done.*



<b>M 16</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>In the February Budget report agreed by Council it stated: 'A capital budget provision has been made for up to £1.8m across 2012/13 – 2014/15 to provide a 14 pitch transit site for Gypsy &amp; Travellers'. Why has the Council allocated £1.8m for a 14 pitch transit site when the Council's Needs Assessment shows it only needs 5 transit pitches?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>The most recent Gypsy &amp; Traveller Accommodation Assessment (2012) has identified an immediate need for 5 transit pitches and a need for 28 permanent pitches over the period 2012-2027. The proposed site will comprise 5 transit pitches and 9/10 permanent pitches. This will therefore meet all the Council's need for transit pitches and a significant proportion of the need for permanent pitches.</i></p>		

<b>M 17</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>Why does the Council anticipate that each transit traveller pitch will cost approximately £128,500 compared to the average of £62,900, according to both the Irish Traveller Movement of Great Britain and the Council's planning department? If there are funds remaining after completing the building of the traveller site, how will this spare money be used?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>The capital costs of new pitch provision that meets DCLG guidance are difficult to estimate as they will be determined by a wide range of factors, including site location, size, topography and proximity to mains facilities etc. However, in 2011 and to assist in setting an estimate on the likely capital costs of such a scheme the following information was used:</i></p> <ul style="list-style-type: none"> <li><i>o Brighton &amp; Hove estimated £100,000 per pitch (2007)</i></li> <li><i>o Planning Officers Society £100,000 per pitch (2011)</i></li> <li><i>o Advice from Homes &amp; Community Agency (HCA) £100,000 - £120,000 per pitch. Based upon the then recent G&amp;T bidding round in 2011</i></li> </ul> <p><i>These costs were then used to form the evidence that to provide a 15 pitch transit site the Council would require up to £120,000 per pitch, that is, £1.8m of capital funding. As such on 14th February 2012 Council provisionally allocated up to £1.8m of revenue supported capital borrowing to provide a single 15 pitch residential or transit site developed to DCLG standards.</i></p> <p><i>Now that a site has been identified the Council is working with potential partners to determine a site specific cost. It should also be noted that the actual pitch costs to the Council will be significantly reduced by a successful conditional funding bid to the HCA and potentially development partner contributions.</i></p> <p><i>As the capital is revenue supported borrowing, and so only the capital required will be borrowed, there is effectively no spare capital.</i></p>		
<b>Supplementary Question:</b>		
<p>Can the Cabinet member not agree that in these times of austerity, a bit of austerity</p>		

should be shown in this matter too?

**Answer from:**

Councillor Tim Ball

*We have as you will have seen been successful in mitigating the council's costs by bringing in third party funding. We are minded to the need to keep costs down in times of austerity but need to ensure delivery of this site.*

## QUESTIONS AND ANSWERS - PUBLIC

There were none