

## CABINET MEETING 10<sup>th</sup> July 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**

- Anthony Acton (Vice-Chair, Corston PCC)  
Re: Petition – Road Safety, Corston A39
- Lin Patterson (Campaign to Save Larkhall Toilets)  
Re: Larkhall Toilets
- Lesley Mansell (Chair, Radstock Town Council)  
Re: Victoria Hall
- Councillor Eleanor Jackson  
Re: Victoria Hall
- Kirsty Hafford (Radstock Resident)  
Re: Victoria Hall
- Judith Chubb-Whittle (Chair, Stanton Drew Parish Council)  
Re: Gypsy and Travellers DPD
- Karen Abolkheir (Stanton Wick Action Group)  
Re: Gypsy Travellers and the Core Strategy
- Clarke Osborne (Chair, Stanton Wick Action Group)  
Re: Core Strategy, Gypsy and Traveller and Travelling Showpeople DPD and progress on the establishment of sites for the development of pitches

#### **Re: Agenda Item 13 (Cycle Schemes)**

- Duncan Hounsell

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Will Sandry
<p>Article 4 direction (Item 12 June Cabinet): How will this new policy be enforced and what should local residents do if they suspect a home is being converted to an HMO now that the Policy is in effect?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>On receipt of an enforcement complaint alleging an unauthorised HMO, the planning enforcement team will need to visit and collect information from the owner, such as tenancy agreements Council tax bills, utility bills with named tenants an HMO license, register from a voluntary accreditation scheme for HMO's operated by B&amp;NES to establish whether or not there has been a material change of use to a C4 HMO. Officers may have to serve a planning contravention notice to obtain this information if the owner is reluctant to provide it voluntarily i.e. because they are operating an HMO but think that they won't achieve permission.</i></p> <p><i>If Officers determine from their evidence that a material change of use has occurred, they may ask for a planning application as is normal practice with enforcement. Any application would be publicised in the normal way and all views taken into account. In any event they would be obliged to discuss the situation with the owner and no formal action would be taken whilst an application and possible appeal was being considered. Officers would have to determine any planning application based upon the SPD and other development management policies/material considerations and decide if there are any sustainable grounds upon which permission could be refused having regard to the fact that the National Planning Policy Framework directs Local Planning Authorities to approve planning permission for development unless there is substantial harm. Some proposals may be acceptable and gain permission.</i></p> <p><i>If no application is forthcoming Officers would have to consider the expediency of taking enforcement action, also based on the SPD and policy/material considerations and in respect of the level of harm.</i></p> <p><i>If local residents suspect that a home is being converted to an HMO they can submit an enforcement complaint form on the Council's web site at <a href="http://www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement">www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement</a> and email to <a href="mailto:planning_enforcement@bathnes.gov.uk">planning_enforcement@bathnes.gov.uk</a></i></p>		

<b>M 02</b>	<b>Question from:</b>	Councillor Will Sandry
<p>Additional Licensing of HMOs (Item 13 June Cabinet): Please can you give me assurance that properties that have never been accredited to the former voluntary accreditation scheme for HMOs will be targeted for inspection by housing officers as a</p>		

priority?

**Answer from:**

Councillor Tim Ball

*Housing Services have set themselves the ambitious target of inspecting all identified licensable HMOs during the first year of the scheme. To ensure operational efficiency and to meet customer service standards inspections will initially be arranged in order of application date. However, if demand for inspections significantly exceeds operational capacity inspections will then be prioritised according to a combination of risk and date of application with those that we have little or no knowledge of, for example, non-accredited being deemed high priority.*

*In addition whilst conducting inspections officers will be on the ground in the scheme area and will be able to follow-up on reports of unlicensed HMOs and look for non-compliant properties. Housing Services officers will also use the records and information at their disposal as well as walking the area to further pick up on properties that have not come forward to initially encourage compliance and then follow up with enforcement where required.*

**M 03**

**Question from:**

Councillor Sharon Ball

How soon will the HMO Licensing be introduced and how will conditions be enforced?

**Answer from:**

Councillor Tim Ball

*The additional licensing scheme will be formally introduced on the 1st January 2014. Applications for licences will be accepted from the 1st October 2013. Licensable HMOs will be inspected prior to licences being issued. This initial inspection will allow officers to look for health and safety hazards and establish compliance with the licensing standards. Where sub-standard conditions or other issues are identified conditions will be placed on the licence with timescales for rectification. In addition following inspection HMOs will be 'priority rated' which will inform subsequent revisit timescales. Where subsequent non-compliances are found appropriate enforcement action will be instigated.*

**M 04**

**Question from:**

Councillor Sharon Ball

It is noted that the Voluntary accreditation scheme operated by the council for HMO's that are let for Student lets is being wound up. Is there a replacement and is this something that should be taken on by the Universities in areas outside of the HMO Licensing area?

**Answer from:**

Councillor Tim Ball

*Housing Services have written to all major stakeholders, including the two Universities, advising them of the decision to cease the current voluntary accreditation scheme and to give them the opportunity to pursue an independent scheme. To assist them we have offered our help and support in establishing such a scheme. To date there has been no commitment on whether they wish to pursue this option.*

*Whilst the National Landlord Association does not operate a property accreditation scheme they do have a landlord accreditation scheme which is another option that Housing Services are investigating. Similarly through the West of England Partnership a landlord proficiency certificate is also available to landlords who wish to undertake voluntary training to demonstrate their competency.*

<b>M 05</b>	<b>Question from:</b>	Councillor Sharon Ball
<p>Article 4: Many houses in the area are still being converted to an HMO and were not be completed by 1st July when the Policy came into force. How soon will the Policy be enforced and what is the exact criteria in planning terms to say when a house is an HMO as apart from an ordinary residential dwelling.</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>On receipt of an enforcement complaint alleging an unauthorised HMO, the planning enforcement team will need to visit and collect information from the owner, such as tenancy agreements Council tax bills, utility bills with named tenants an HMO license, register from a voluntary accreditation scheme for HMO's operated by B&amp;NES to establish whether or not there has been a material change of use to a C4 HMO. Officers may have to serve a planning contravention notice to obtain this information if the owner is reluctant to provide it voluntarily i.e. because they are operating an HMO but think that they won't achieve permission.</i></p> <p><i>If Officers determine from their evidence that a material change of use has occurred, they may ask for a planning application as is normal practice with enforcement. Any application would be publicised in the normal way and all views taken into account. In any event they would be obliged to discuss the situation with the owner and no formal action would be taken whilst an application and possible appeal was being considered. Officers would have to determine any planning application based upon the SPD and other development management policies/material considerations and decide if there are any sustainable grounds upon which permission could be refused having regard to the fact that the National Planning Policy Framework directs Local Planning Authorities to approve planning permission for development unless there is substantial harm. Some proposals may be acceptable and gain permission.</i></p> <p><i>If no application is forthcoming Officers would have to consider the expediency of taking enforcement action, also based on the SPD and policy/material considerations and in respect of the level of harm.</i></p> <p><i>If local residents suspect that a home is being converted to an HMO they can submit an enforcement complaint form on the Council's web site at <a href="http://www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement">www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement</a> and email to <a href="mailto:planning_enforcement@bathnes.gov.uk">planning_enforcement@bathnes.gov.uk</a></i></p>		

<b>M 06</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>On average, how many Council staff man-hours each week are taken in clearing the streets of gull scavenge waste and how much time is spent cleaning gull excreta from City pavements and street furniture?</p>		
<b>Answer from:</b>		Councillor David Dixon
<p><i>Council staff hours taken in clearing the streets of scavenged waste are approximately 70 hours a week during the peak period. It is however difficult to distinguish gull-scavenged waste from waste scavenged by other vermin and spillage due to human interference, so this time is unlikely to be totally attributable to gulls. No accurate data has been collected so the figure provided is an estimate and is based on a snap shot obtained by consulting staff.</i></p> <p><i>Time spent cleaning gull excreta from City pavements and street furniture amounts to approximately 35 hours a week. These figures do not represent year round weekly figures, more resources are allocated in the summer months and during breeding session</i></p> <p><i>Pavement and street furniture cleaning is however carried out to deal with a number of different issues which would still remain if the gull excreta did not, so it is unlikely that the cleaning schedule would reduce in this instance.</i></p>		

<b>M 07</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>How many enforcement notices have been issued in the past twelve months against businesses who act irresponsibly with their waste and leave it out beyond the permitted period or overnight?</p>		
<b>Answer from:</b>		Councillor David Dixon
<p><b>43</b> s.46 <i>Environmental Protection Act Notices have been served for commercial receptacle related waste matters</i></p>		

<b>M 08</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>Does the Cabinet Member consider that scavenged waste poses a hazard to health and to safety of City residents? Does the Council consider that the gull and pigeon excreta on our streets poses a potential threat to the health, safety and well-being of Bath residents?</p>		
<b>Answer from:</b>		Councillor David Dixon

*The presence of scavenged waste presents a slipping risk to residents and visitors. This is why every effort is made to clear the waste as quickly as possible, through regular cleansing of streets in the City Centre. Further containerisation of waste in the city centre will minimise the amount of scavenged waste and options to achieve this are actively being explored at the moment, including the trial of gull-proof sacks which will soon be made available to over 2000 homes in the city centre.*

*There have been a number of research papers which consider the risk to human health from urban gulls. The "review of urban gulls and their management in Scotland" published in 2006 offers the following helpful explanation:*

*"Due to the feeding sites of urban gulls and their habits of scavenging waste, it is possible that they may be infected by, or be the physical carriers of, human pathogens. Persons who may inadvertently ingest materials which maybe in contact with gulls or their faeces, theoretically have a risk of contracting an infection. However, in practice this risk must be considered low because for illness to result, a person would have to ingest an infective dose and there is limited opportunity for this to occur. There is little evidence that illness is occurring in the general population, despite the fact that infection is biologically plausible."*

**Supplementary Question:**

Were you aware that there were over 300 cases of salmonella spondylitis – not as a result of one outbreak. Has he asked what the cause of these was/

**Answer from:**

Councillor David Dixon

*We have done sound research and we have no evidence of any public health issue. If Councillor Ward has information to the contrary, we would like to see it because we could then obtain government funding to deal with it. At present, we are restricted to the removal of eggs.*

**M 09**

**Question from:**

Councillor Geoff Ward

Can the Cabinet Member please confirm that both the Larkhall and Weston public toilets will now remain open permanently, unless and until suitable alternatives have been found? Was the new Public Health Unit consulted on their view on the health impacts and effects which might occur as a consequence of toilet closures, especially in respect to our elderly residents?

**Answer from:**

Councillor David Dixon

*The Weston toilets will remain open until an alternative has been agreed. Officers are working on options with Ward Councillors. The Larkhall toilets will remain open until 1st April 2014 whilst Ward Councillors and officers work through options for alternative provision.*

*The Health & wellbeing Board was operating in shadow form at the time that the MTSRP proposals, including toilet closures, was published. All Council services and*

partners, including Public Health, were party to the draft proposals last year. An Equalities Impact Assessment (EIA) was done (now available to view on this public webpage - <http://www.bathnes.gov.uk/services/your-council-and-democracy/equality-and-diversity/equality-impact-assessments/financial-pla>) and formed part of the initial consultation with PDS panels in late 2012 on the savings proposals for the MTSRP. An overarching Equalities Impact report (which considered public health impacts) was compiled, related to the impact of all service savings proposals, during the MTSRP public consultation period, and including the Resources PDS panel, Cabinet and Council meetings in February 2013.

<b>M 10</b>	<b>Question from:</b>	Councillor Charles Gerrish
<p>Given the significant financial pressures faced by the Adult Social Care and Children's Services budgets, does the Cabinet Member agree that, when deciding how best to use the £1.7m of annual savings the Council anticipates will be made from debt restructuring, the priority should be to allocate additional funds to these areas?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>The Government have confirmed that they are continuing to transfer funds from health to social care as they first announced in the spending review of 2010. From 2015/16 they will put together a pooled budget of £3.8b shared between NHS and local authorities to deliver better outcomes and greater efficiencies through more integrated services. Adult social care from 2015 should therefore be under reduced financial pressure.</i></p> <p><i>The Government have not cut school funding and are transferring some local authority funding to the Designated Schools Grant which could be used to fund some of the services we have previously funded. Our Council have not cut the Youth Service or the Youth Offending Service. The services we provide in our Children Centres buildings is currently the subject of Policy Development and Scrutiny and we await their report with interest.</i></p> <p><i>There are many service priorities and the £1.7m annual savings will be used to maintain services and keep council tax low and will be contained within the cabinet budget proposals which will go to Council in February 2014.</i></p>		

<b>M 11</b>	<b>Question from:</b>	Councillor Charles Gerrish
<p>As the lights in Keynsham Park fall under the responsibility of Property Services, can the Cabinet Member please explain why it takes in excess of five months to repair overhead lights in Keynsham Memorial Park?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>Keynsham Memorial Park enjoys a prominent position in the centre of Keynsham and is</i></p>		

*well utilised by the local community. Unfortunately in such a prominent public location vandalism and other anti-social behaviour present an ongoing problem.*

*The Park includes a number of facilities such as a skateboard park, bowling green, café and bandstand. These facilities are mainly self-contained and include their own lighting maintained by and large by the tenants. Lighting outside these areas is confined to the main paths through the park and as this is not part of the Highway falls to Property Services budgets for maintenance purposes.*

*Such maintenance is largely responsive resulting in contractors attending to deal with breakdowns and failures. Following a number of calls and visits to replace components over the past few months it was decided to attempt to minimise future occurrences by moving the control mechanisms to a higher more elevated level and since this was completed incidences of damage and breakdown have reduced significantly.*

**Supplementary Question:**

I note your generic response but my question related to specific cases. I was told that one light was “awaiting parts” and another was “awaiting a cherry picker to do the job”. Neither has yet been repaired.

**Answer from:**

Councillor David Dixon

*Please send your specific details to the relevant officer, and copy in Councillor David Bellotti. We will then deal with the lights promptly.*

**M 12**

**Question from:**

Councillor Charles Gerrish

Could the Leader of Council please set out the protocol between authorities when a Council Leader or Mayor from another authority visits Bath and North East Somerset?

**Answer from:**

Councillor Paul Crossley

*There is currently no protocol and we are reviewing the situation to determine if one is needed.*

**Supplementary Question:**

What is the personal view of the Leader of the Council if civic leaders from other authorities visit Bath and NE Somerset without notifying the Council?

**Answer from:**

Councillor Paul Crossley

*I would say it was rude and bad manners, particularly if he or she were to make political publicity from the visit.*



<b>M 13</b>	<b>Question from:</b>	Councillor Michael Evans
<p>What systems or programmes does the Council have in place to encourage and reward excellence and outstanding achievement in schools?</p>		
<b>Answer from:</b>		Councillor Dine Romero
<p><i>A. The Local Authority has a strong culture of working closely with schools and early years settings, sharing successes and promoting excellence. This is undertaken in many different ways:</i></p> <ol style="list-style-type: none"> <li><i>1. Three times a year there are specific Local Authority Senior Leadership meetings with Headteachers. School successes are highlighted in these meetings and good practice shared. HeadTeacher are invited to contribute to conferences where they and their school have exciting and innovative practice. In addition there are also regular Children's Service Senior leadership meetings with Chairs of Governors where schools are invited to share good practice and successes highlighted.</i></li> <li><i>2. There are a very wide range of subject specific events and newsletters illustrating good practice and specific activities and events organised by the local authority, for example:</i> <ul style="list-style-type: none"> <li><i>• The Director of Public Health Award Certificates are presented in whole school assemblies plus we have established an annual Awards Evening where the DPH presents certificates to schools, Early Years and FE Colleges that have achieved one. Councillors and LA Directors are invited. All successful settings are also listed on the 'roll of honour' on the website . <a href="http://www.DirectorofPublicHealthAward.org.uk">www.DirectorofPublicHealthAward.org.uk</a>.</i></li> <li><i>• Also we have the DPH Award HOSCARS (health Oscars) where individuals are nominated and recognised for their exceptional contribution to health and well-being within the school community and DPH Award newsletter.</i></li> <li><i>• The Anti-Bullying Strategy Group has awarded 64 small grants to schools and other settings following applications by children and young people to develop their good ideas and good practice to prevent bullying</i></li> <li><i>• Similarly, small grants have been made available for children and young people who can demonstrate they are working in Equality Teams (E-Teams) to promote inclusion and counter prejudice and discrimination in their school / setting.</i></li> <li><i>• Pupils are regularly invited to the Anti-Bullying Strategy Group to present this work</i></li> <li><i>• The Primary and Secondary Parliaments also provide a showcase for the work being done around whichever issue pupils decide to vote on - strategic leads from the LA and Public Health as well as Lead Councillors are in attendance.</i></li> <li><i>• Inclusion Quality Mark. Award and annual presentation event for school's which have undertaken good work to be inclusive</i></li> <li><i>• Dance umbrella. Two day event at The Forum showcasing school groups</i></li> <li><i>• Celebrating Fatherhood which showcased Early years Settings and Schools good practice.</i></li> <li><i>• The 0-11 Preventative Services hold an annual Celebration Evening where good practice and recognition of recently acquired qualifications are awarded by The Chairman of the Council. These particularly feature early years settings and reception classes in schools as well as schools that embrace good Play Practice.</i></li> <li><i>• The schools Financial Value Standard and internal audit themed reports highlight</i></li> </ul> </li> </ol>		

*good practice and achievements*

3. *Annually a desk top review of standards and performance of each school is undertaken and a letter sent to each school. This process identifies good and outstanding schools.*
4. *Following OfSted Inspection reports the Strategic Director for People and Communities, Divisional Director and Education Outcomes lead write to the Headteacher congratulating them on the inspection outcomes.*
5. *If there are specific achievements by schools a letter or e-mail congratulating them will be sent and the Council Communications Team will support publicity. Eg Ralph Allen school recently won the international Lego Robotics competition. An e-mail was sent to the school, further publicity provided and a follow-up event for schools to promote robotics clubs organised jointly by Education Outcomes team with Ralph Allen.*
6. *Where schools are outstanding or have outstanding features we invite heads and/or their staff to coach and support schools who are aiming to move from 'satisfactory' or 'requires improvement' to good and outstanding thus recognising outstanding performance and share good practice.*

**Supplementary Question:**

I had asked not so much about good practice in schools, but whether the Council can input into inspiring the best students in maths and science might have opportunities to attend Olympiads or other events which will develop their skills?

**Answer from:**

Councillor Dine Romero

*A number of schools celebrate sporting achievement. I will investigate the opportunities in maths and sciences.*

**M 14**

**Question from:**

Councillor Liz Richardson

I assume Cabinet is aware of the arrival of the three draft reports by JBA regarding last autumn's floods in the Chew Valley. Please can the Leader explain why these reports are now to be held until September before general publication, when these reports were originally expected to be available at the end of May? Given that every day these reports are not released is a day less for any mitigating work to get started, can the Leader take a single member decision and release them immediately?

**Answer from:**

Councillor Paul Crossley

*Officers are reviewing the draft documents and will finalise these with the consultant. Due to the lead-in times in the democratic process, it is likely that formal reporting of the consultant's findings will not take place until September. I have no objection to the comprehensive reports being released in advance of this. I will arrange for the documents to be released as soon as the final version is signed off by officers.*

**Supplementary Question:**

Since this is so important to the 24 house owners who are so vulnerable to flooding, why will he not issue the report even in a draft state, to assure them that progress is being made?

**Answer from:**

Councillor Paul Crossley

*We will issue the report as soon as it has been signed off by officers. Home owners would not want to be given incorrect information because of undue haste to publish..*

**M 15****Question from:**

Councillor Anthony Clarke

What data has the Council collected, and will be collecting for comparison purposes, on the impact of the introduction of new parking charges at Royal Victoria Park, in particular in relation to displacement of parked cars, usage of RVP facilities and patronage of nearby businesses?

**Answer from:**

Councillor Caroline Roberts

*Data on usage of the park is recorded by the Pay and Display machines and the pay by mobile system. This allows accurate data of numbers of stays and durations to be understood and behaviours modelled over time. As requested, a review will be undertaken after 6 months using this data.*

*The highway, where restrictions do not apply, is free to be used for parking by any member of the public. Displacement issues are recorded by the Traffic and Safety team and appropriate resolutions programmed within the forward plan in line with all other schemes of a similar nature. In most retail locations, businesses benefit from increased ability for customers to find local available parking and increased turnover rather than large numbers of stationary vehicles parking all day as footfall drives trade and customer. Reductions in vehicle numbers does not necessarily equate to reductions in customers and the opposite is often true where customers have been unable to park due to commuter parking. However, any feedback from local businesses would be encouraged to allow a full understanding when the scheme is reviewed.*

*No data is recorded by the Parks team regarding footfall within the facilities and attractions offered by the park.*

**Supplementary Question:**

Can the Cabinet member explain why the Parks Team are not recording footfall figures?

**Answer from:**

Councillor Caroline Roberts

*The reason is well known. Use of the parks benefits all users and using the park benefits them.*

<b>M 16</b>	<b>Question from:</b>	Councillor Anthony Clarke
<p>How much money has so far been raised from the introduction of new parking charges at Royal Victoria Park? Please provide the dates over what time period these calculations have been made.</p>		
<b>Answer from:</b>		Councillor Caroline Roberts
<p><i>The total income to date from the implementation of charges is £4142. This covers the 20 days from 11th June when charges were implemented to Wednesday 3rd July. Charges apply 6 days per week, Monday to Saturday and not on Bank Holidays in line with all other on street charges.</i></p>		

## QUESTIONS AND ANSWERS - PUBLIC

<b>P 01</b>	<b>Question from:</b>	Sean Moore
<ol style="list-style-type: none"> <li>1. What is the council policy for items on the public pavements in BANES and does the council operate a licensing policy for such items.</li> <li>2. What items are included in such a policy and is the list exhaustive.</li> <li>3. How would someone apply for permission to place items on a pavement.</li> <li>4. Can residents object to items placed on a pavement and if so how is the matter brought to resolution.</li> <li>5. How does the council deal with vehicles that are parked fully on any pavement within BANES, or is this the responsibility of the Police.</li> </ol>		
<b>Answer from:</b>		Councillor Caroline Roberts
<ol style="list-style-type: none"> <li>1. <i>The Council has a footway obstructions policy to regulate items on public pavements. Items are assessed to determine whether they present an obstruction. Some items, such as tables and chairs, are licenced.</i></li> <li>2. <i>The policy was primarily introduced as a result of the widespread use of A Boards. Any item placed on the public footway, unless subject to a separate licencing arrangement, would be covered by the policy.</i></li> <li>3. <i>The applicant would need to discuss the details of the item and the purpose with the Highways Department in the first instance as certain items may be covered under different legislation.</i></li> <li>4. <i>Yes. A Highways Officer would assess any such situation and determine whether the</i></li> </ol>		

*matter requires further action and, if so, whether it may be resolved through co-operation from the person who placed the item or through formal enforcement.*

*5. Pavement parking can be inconvenient for pedestrians and especially hazardous for disabled and elderly people, those who are visually impaired and people with pushchairs and double buggies.*

*Parking Services can enforce via the issue of a Penalty Charge Notice against vehicles where other restrictions such as Double Yellow Lines are in place upon the highway under the Traffic Management Act 2004. Where there are no restrictions we do not have powers to issue Penalty Charge Notices.*

*The Police have powers under section 137 of the Highways Act 1980, which makes it an offence "to wilfully obstruct the free passage of the highway". However, this is difficult to prove and resource intensive so rarely gets used.*

*Unlike Greater London, there is currently no national legislation banning the parking of all vehicles on the pavement, due to the wide range of circumstances and locations where pavement parking occurs.*

<b>P 02</b>	<b>Question from:</b>	Lesley Mansell (Chair, Radstock Town Council)
<p>The consultation exercise regarding the Victoria Hall showed that over 80% of those who responded wished to see this facility retained for community use and Radstock Town Council requested that it should be put to maximum use for the community in its submission. The B&amp;NES cabinet report shows that there will only be 20 hours per week for community usage. Space appears to be allocated despite requests to have a discussion between B&amp;NES and Radstock Town Council.</p> <p>How does B&amp;NES council justify ignoring the outcomes of the consultation, when was the criteria set for the allocation of space and what is this criteria and when will B&amp;NES meet with Radstock Town Council over the future use?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>Once the building is refurbished a sustainable way of running the facility must be in place and it became clear from further viability modelling that Sue Hill Dance Limited, a user of the Hall with significant local links, presented a viable proposition for Victoria Hall.</i></p> <p><i>The Community Consultation included support for the Dance School as well as support for community use.</i></p> <p><i>This outcome will mean that Sue Hill Dance School Limited will take on day to day liabilities, breathing fresh air into Victoria Hall with ambitious plans to develop a vibrant community facility. The lease makes provision for community use of at least 20 hours per week, clearly dependent on demand. With the amount of space available there will be plenty of flexibility and few restrictions.</i></p> <p><i>After long neglect the Council has now invested heavily in the restoration of the magnificent Victoria Hall. We have every confidence that local residents will utilise the excellent facilities that are going to be available</i></p>		

<b>P 03</b>	<b>Question from:</b>	Simon Whittle
<p>1. Can we request for what is now a fourth time that ALL references to the Stanton Wick Site are removed from the Opinion Research Services (ORS) GTAA?</p> <p>2. Could you please advise us when the final version of the ORS GTAA was accepted, whether there was any additional cost incurred, and comment on whether you think that a 3-month delay in finalising a report is acceptable, given the haste in which the tender was released and preferred supplier was instructed (just 5 days)?</p> <p>3. Can you please ask ORS whether they consider it appropriate to publish comments and site-specific preferences from a person with a potential conflict of interest, who is not actively seeking accommodation within BaNES?</p> <p>4. Can you please confirm that no weight will be placed by officers in respect of site-specific comments in the ORS report when determining planning applications?</p> <p>5. Please also confirm that there are no circumstances under which the decision made at the September-2012 Cabinet to remove the Stanton Wick site from the list of sites in the DPD will be reviewed or reversed?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p>1. This question has been answered before in responding to the questions raised by Mr Whittle at the Cabinet meeting on 12<sup>th</sup> June in the context of the CLG guidance. The response was as follows: The CLG guidance (PP.28 &amp; 29) is ambiguous and is open to broad interpretation - a site specific or a general areas response can reasonably be expected to the suggested questions in the guidance. The GTAA does not seek to interpret respondees' comments but reproduces them verbatim. The inclusion of individual stakeholder's quotes regarding individual sites does not indicate an endorsement of that stakeholder's preferences, but relays specific experiences as well as locational preferences.</p> <p>2. It is convention, and in fact good practice, to review reports undertaken by consultants for accuracy and clarity. The final report (currently published on the B&amp;NES website) was received and accepted on 26 February 2013. In order to ensure the report was clear, accurate, and robust in its content, the period of time taken to liaise with Opinion Research Services before publishing the final report is considered reasonable and acceptable. It would be irresponsible of the Council to publish the report before it was properly checked. No additional cost was incurred.</p> <p>3. This question has been forwarded to ORS. The response will be passed to Mr Whittle once it has been received.</p> <p>4. Individual planning applications must be determined in accordance with the adopted Development Plan and any other material considerations. A Plan that is at an early stage of the statutory preparation process has little weight in the determination of planning applications (NPPF para. 216). Whilst comments on individual sites, including that at Stanton Wick, have been included within the GTAA report, that does not represent an endorsement of those comments or the policy of the Council. Therefore, no weight will be given to comments made in respect of the Stanton Wick site in the ORS report in the consideration of a planning application for the development at the Stanton Wick site.</p> <p>5. Cabinet agreed at its meeting of 9 May 2012 "(7) ... <i>that only new sites will be considered for inclusion and not those already rejected through the initial site assessment</i>". The Stanton Wick site had been removed from further consideration</p>		

on viability grounds. As confirmed by Councillor Crossley at the Parishes Liaison Group meeting of 12 June 2012, the Cabinet would not reconsider 'discarded' sites. Please note: Cabinet has received a large number of questions relating to the preparation of the Gypsies, Travellers and Travelling Showpeople Site Allocations DPD and the supporting evidence. A series of Frequently Asked Questions and their answers are available on the Council's website at: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/gypsies-travellers-and-travelling-showpeopl-0>

A further question and answer sheet to address the questions being raised is being prepared.