CABINET MEETING 4th Nov 2015

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

David Redgewell (South West Transport Network)

Re: Regional transport

• Sally Collins (Vice Chairman of the Marksbury Parish Council)

Re: Statement and petition 'To provide light controlled pedestrian crossing across A39 through the village'

Colin Curry

Re: Area 3 of Radstock Plan

 Charles Draper (Chairman of the Bathwick Estate Residents Association)

Re: About the need for a new pedestrian crossing on Bathwick Street

QUESTIONS AND ANSWERS - COUNCILLORS

M 01 Question from: Councillor Nigel Roberts

There have been a number cycle racks that have been removed from outside of the Guildhall, please could the Cabinet Member let me know when these will be replaced.

Answer from: Councillor Anthony Clarke

The replacement racks have been ordered and I will let the Cllr Roberts know as soon as we have a date for their delivery and installation.

NOTE: Following the meeting, the answer has been updated by Councillor Anthony Clarke – 'The replacement racks have been ordered and I will let Cllr Roberts know as soon as we have a date for their delivery and installation'.

M 02 | Question from: | Councillor Nigel Roberts

During the last four months, have there been any changes to any pedestrian crossings in Bath and North East Somerset, to lengthen or shorten the time taken from the button being pushed at the crossing to the pedestrian crossing lights changing?

Answer from: Councillor Anthony Clarke

Only one recently constructed crossing has been altered, this is the toucan crossing at the Globe roundabout. The wait time for pedestrians and cyclists has been reduced after site observations confirmed that this change would not cause any congestion issues.

A recent check on older crossings identified a small number of sites that do not comply with the latest design standards. These have been adjusted by 1-3 seconds in order to meet pedestrian safety standards.

M 03 | Question from: | Councillors John Bull and Liz Hardman

At the September 9 Cabinet meeting Cllr Hardman asked a question about progress on the purchase of land from Curo in order to provide two drop-off points for drivers taking children to Paulton Junior and Infant schools. The purpose was to alleviate congestion and dangerous parking around the schools and the drop-off points appear as an item in the Paulton Schools Travel Plan which must be in operation before planning permission for the Junior School expansion can be implemented.

At the September 9 meeting the answer given was that the land purchase was 'imminent'. Please could the Cabinet Member explain what he understands by

'imminent' given that these drop-off points have been on the verge of being built for the past five years?

Answer from: Councillor Anthony Clarke

Terms have been agreed with the owners to acquire the land to enable the construction of the drop off points. The legal process to transfer the land is envisaged to be completed by the end of December.

M 04 | Question from: | Councillor Neil Butters

With regard to the proposed East of Bath park and ride:

- a. What are the qualifications and experience of each member of Mott MacDonald staff who have contributed to either a. the report already issued or b. the report still to come?
- b. When will the second Mott McDonald report be forthcoming, and what exactly will it cover?
- c. What are the Benefit-Cost Ratios for each of the three sites currently under consideration?
- d. Who owns the land relating to the three sites not only for the car parking itself, but also the associated entrance/exit roads?
- e. What are the latest estimates for traffic and also pollution reduction on London Road as a result of each of the three sites, in turn, being implemented?

Answer from: Councillor Anthony Clarke

a. What are the qualifications and experience of each member of Mott MacDonald staff who have contributed to either a. the report already issued or b. the report still to come?

Transport team

Nick Richardson BA MA TPP FCILT FCIHT MTPS

Modelling team

Chris White BSc CEng MICE MCIHT

Dr Andrew Gordon MA(Oxon) PhD MTPS

Dr Sansaka Sirivadidurage BSc MEng PhD CMILT

Dr Jie Zhu BSc MSc PhD

Ed Blake BSc

Gerard Lovett BE MSc

Rail planning team

Robert Sanderson BSc CEng MIStEng

Ruth Parker BEng CEng MICE MInstEng(Ireland)

Environment team

Julia Barrett BSc MSc Chartered Environmentalist, MIEMA

Claire Uden BSc MA CMILI

Ollie May BA MLA

Highways team

Eur Ing Stefan Craciun BSc CEng MICE

Craig Bremner BSc MSc

b. When will the second Mott McDonald report be forthcoming, and what exactly will it cover?

The report will cover the development, testing and validation of the new transportation model which will be used to develop the business case for the P&R and interventions removing through-traffic from the city of Bath it will therefore be made available as part of the development of the business case, and certainly prior to any planning application.

c. What are the Benefit-Cost Ratios for each of the three sites currently under consideration?

No Benefit-Cost Ratios are currently available as these are undertaken once a site has been selected and more detailed proposals developed

d. Who owns the land relating to the three sites - not only for the car parking itself, but also the associated entrance/exit roads?

Site F is in Council ownership and the other two sites are in private ownership. It is not appropriate for me to provide anymore information in a public meeting on ownership details

e. What are the latest estimates for traffic and also pollution reduction on London Road as a result of each of the three sites, in turn, being implemented?

It is expected that the Park and Ride would be used by some 2,000 cars each day, equivalent to 4,000 daily car journeys into and out of the City of Bath.

Based upon calculations using the Government's industry standard 'Emission Factor Toolkit', a reduction of 4,000 car journeys travelling between Batheaston bypass and Charlotte Street car park would equate to a reduction in carbon dioxide emissions of 1,162 tonnes per year, a reduction in nitrogen oxides (NOx) of around 2,602 kg per annum; and 330kg per annum of particulate matter, which is harmful to people's health.

M 05 Question from: Councillor Lisa Brett

A report to the Schools Forum in September highlighted an unexpected increase in demand for early years Special Educational Needs provision and the impact of the first year of SEND reform. How will the Cabinet Member ensure that these shortfalls are met?

Answer from:	Councillor Michael Evans
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The report to Schools Forum highlighted a number of pressures in respect of SEN provision. These included a year on year increase in demand for Early Years Special Educational Needs funding, as well as a higher than expected increase in workload pressures on SEND services following the implementation of the SEND reforms and an increasing pressure on local Special School places. One key purpose of the paper was to highlight these emerging pressures to the Schools Forum who are responsible for funding for SEN provision in both Early Years and schools, so that the forum can take this into account in its budget setting process. The paper also recommended (and forum agreed to) the setting up of a working group with head-teacher representatives to

explore these pressures and work to analyse the data is already underway, alongside early exploration of possible solutions. Our popular and outstanding Special Schools are already full to capacity and physically hard to expand, and the Local Authority does not receive DfE capital grants or section 106 developer contributions for this purpose, so creating additional capacity is a challenge. As Cabinet member, I will look forward to hearing the findings of the working group and how the Schools Forum responds to these. Of course the increasing workload associated with the SEND Reforms and levels of demand have also put pressure on the Local Authority's own services and, subject to the level of government funding we receive to offset the burdens of new legislation, I am looking at how we might provide some additional resources to this area of the service through the budget setting process.

Supplementary Question:

Will Councillor Evans write to the relevant Minister to explain the implications of the Special Educational Needs reform?

Answer from: Councillor Michael Evans

It is not on my to-do list.

M 06 Question from: Councillor Lisa Brett

Will the Cabinet Member commit to ensuring that children across B&NES are able to participate in the Duke of Edinburgh's Award Scheme at no additional cost to parents following the administration's plan to cut funding for administering the scheme?

Answer from: Councillor Michael Evans

The Duke of Edinburgh Award scheme provides excellent opportunities to young people to broaden out their experiences and develop skills in situations that would not normally occur for them, so I am strongly in favour of it and believe that it is essential that this opportunity is open to all those who wish to pursue it. I was presented with the fait accompli that as part of the plans developed under the previous administration the Youth Connect Service had identified that schools should be the driving force for offering access to the Duke of Edinburgh Award. All secondary schools have been encouraged to register as Award Centres and the Council has been working with the Duke of Edinburgh team to achieve this transfer.

As part of this the Council advised schools in July 2015 that it would cease to operate as a Duke of Edinburgh Award Centre from 31 August 2016. This allowed a period of 13 months for schools to register with support from both the Council and the Duke of Edinburgh team. This change is in line with the moves begun by the last administration to significantly reduce our involvement within Universal provision and instead focus resources into 'targeted' interventions for more vulnerable young people.

If a school finds that any pupil who wishes to participate would be prevented from doing so by the parent or carer's inability to contribute the roughly £8 per month fee, it can draw on the pupil premium of £900 per year which such a pupil would attract. The premium is paid to all children who have been in receipt of Free School Meals at any

time in the last six years. This would be exactly in line with the purpose of the pupil premium payments.

In addition to schools there are two Open Award Centres in Bath and Keynsham respectively and the Council will work with both to achieve a good solution which continues to support wide access to the Duke of Edinburgh Award. To this end the Council is prepared to commit additional resource across 2015-16 and up to August 2016 to support the development of alternative options for the Open Access Centres. If continuing support is needed to maintain these two centres after August 2016, I will seek continued funding from the Council for them.

Supplementary Question:

Can you refer to the budget line when the cut was made from previous administration?

Answer from: Councillor Michael Evans

I will provide a written answer within 5 working days.

M 07 | Question from: | Councillor Lisa Brett

Does Councillor Clarke accept that Nitrogen Dioxide (NO2) and particulate emissions from diesel vehicles are the main sources of air pollution and are known causes of heart problems and lung disease, including cancer?

Answer from: Councillor Anthony Clarke

Nitrogen oxides, including NO2, and particulates are two important classes of air pollutants although there are many others, some of which are produced in similar quantity, for example sulphur dioxide and carbon monoxide.

In the UK, road traffic is the largest single contributor to atmospheric nitrogen oxides accounting for one third of the total. It is also one of the major causes of particulate emissions accounting for just under a fifth of the total. For both pollutants diesel engines are more polluting than petrol engines.

On major roads and in cities generally, the relative contribution of road traffic to levels of these pollutants may be much greater than the totals above would suggest, and so reductions in traffic can have a very significant local impact on air quality.

There is no doubt that air pollution overall can be harmful and contribute to heart and lung disease and lung cancer. While it is difficult to identify precisely which pollutants are the most hazardous, there is strong expert agreement that these two pollutants do contribute significantly to the effects of air pollution.

Effects are related to the level of exposure, both acutely and chronically. Overall levels of all major pollutants, including that from road traffic, have decreased considerably in the UK since the 1970s. But while the worst effects are now seen in low and middle income countries, even in the UK air pollution still contributes to ill health and should be reduced, particularly where local levels are high. Consequently the Cabinet are also

looking at other measures such as low emission zones and a potential link road to reduce through traffic

M 08 Question from: Councillor Dine Romero

I understand that Kent Council has written to B&NES asking for help in fostering some of the 800 child refugees who have arrived in Kent. How has the Cabinet responded to this request?

Answer from: Councillor Michael Evans

Councillor Romero is correct, Kent County Council wrote to all English Children's Service Authorities to request assistance with the placement and care of the large numbers of unaccompanied asylum seeking children that have arrived in Kent. Our Children's Service responded positively and has accepted two Syrian children (siblings), a further child arrived independently in the area and has been taken into our care. We therefore currently have three children and young people who were unaccompanied asylum seeking children.

The Association of Directors of Children's Services are working with Kent County Council, the LGA and the DfE to consider whether a formal distribution system should be adopted, we await further information on this development. I would stress that we have been able to support these children within our local resource and without detriment to local children.

Supplementary Question:

Could we have some written notes of Council's previous experience when dealing with child refugees so we can be confident that the right preparation from specialised services is in hand?

I will ask officers if they can provide those notes.

M 09 Question from: Councillor Dine Romero

Would the Cabinet Member give reassurance that the rescheduled debate on the East of Bath park and ride, now to be at Full Council, will be to discuss the traffic problems from, and solutions for, the East of Bath? And that this will not result in a vote, at Full Council, on which site should be pursued?

I refer Cllr Romero to the officer report to Full Council. It will be for Full Council to make

a recommendation on the best way forward for this project, and I would not like to predetermine what that outcome will be.

M 10 Question from: Councillor Dine Romero

Is the Nextbike scheme becoming self-sufficient or is it still dependent on LSTF funding?

Answer from: Councillor Martin Veal

The Nextbike scheme has been very successful, with over 10,000 hires reported in 16 months of operation (to end of September 2015), and with 3 consecutive months this summer where we exceeded 1,000 hires per month. As per the original project plan, we are now in discussions with Nextbike for the first of 3 possible 12 month extensions to the scheme where the ongoing costs would be entirely covered by Nextbike through revenue they collect from hires and advertising on the bikes. This has yet to be finalised, but Nextbike have indicated that the current level of usage makes this feasible, and with continued growth the scheme could allow them to expand further still. B&NES council intends to stay engaged with the project in an advisory capacity, to identify and facilitate opportunities for placement of new stations, eg from section 106 contributions.

All current LSTF funding will cease in April 2016.

M 11 Question from: Councillor Dine Romero

I am sure that the Cabinet Member would join me in congratulating all those involved in the success of Bath in Bloom this year, and also last year. Would he assure me that Bath in Bloom will continue to be as fully supported for the next 3 years as they have been under the last administration?

Answer from: Councillor Martin Veal

Congratulations indeed to all of the staff and volunteers who have worked with the Bath In Bloom committee to gain such fantastic results. The amount of financial support given to Britain in Bloom this year was capped at £2.5K as a one off grant this year, and in-kind support from Council Officers was reduced from previous years This result is testament to the high standards that our parks, waste & cleansing teams strive to achieve all year round, not just for the competition. Funding in future years will be subject to discussion through the budget process.

Supplementary Question:

Could Councillor Veal confirm his wish to continue with a support for Bath In Bloom in future years?

Answer from:

Councillor Martin Veal

It is interesting that questions from the opposition are purely about Bath, though we are Bath and North East Somerset Council. Keynsham and Midsomer Norton also won Gold awards but they did not come up in the question. We will be reviewing this issue and I will be talking to the officers as to what the situation will be next year.

M 12 Question from:

Councillor Andrew Furse

Does the Cabinet intend to continue to hold the Bath City Conference now that the Bath City Forum has been established?

Answer from:

Councillor Tim Warren

Yes we will be continuing with the Bath City Conference and ensure it complements the work of the Forum in showcasing local projects and involving Bath residents

M 13 Q

Question from:

Councillor Andrew Furse

Has the Cabinet dropped plans to consult residents in Lower Weston and Newbridge on the introduction of residents' parking? If so, what plans does the Cabinet have to address the ongoing parking issues in this area?

Answer from:

Councillor Anthony Clarke

I am scheduled to take a decision on this matter in November 2015. In accordance with the Traffic Regulation Order and democratic process, residents will be consulted on any proposals.

The informal consultation with residents in the Weston area was very well attended and following feedback from the Community I have met representatives of the RUH to discuss how the Council and Hospital could work together to address the on street parking issues.

M 14 Qu

Question from:

Councillor Steve Hedges

With regard to Uber having been granted a licence to operate in Bath, what consultation was carried out with local taxi firms and independent drivers prior to this? Has any assessment been made of the likely impact on local drivers' incomes? And is there a limit on the number of new licences which can be issued?

Answer from:

Councillor Martin Veal

Upon application, Uber satisfied the Licensing Authority that they were able to comply with all the necessary local conditions in order to operate as a private hire taxi operator

in Bath and North East Somerset. The legislation covering taxi licensing gives a presumption that a licence will be granted unless there are reasons to doubt the applicant's ability to comply with the conditions. Therefore, in this case the application was deemed not to be contentious within the meaning assigned in the policy and was granted. It is not a requirement to carry out public consultation prior to the granting of any taxi operator licence. However, the local taxi association were aware that an application from Uber would be forthcoming as similar applications have been granted in Bristol, North Somerset and South Gloucestershire.

Has any assessment been made of the likely impact on local drivers' incomes?

No, it is not the role of the Licensing Authority to make an assessment of the impact on taxi driver incomes.

And is there a limit on the number of new licences which can be issued?

There is no requirement to have a limit on the number of private hire licences that can be issued within Bath and North East Somerset

M 15 Question from: Councillor Rob Appleyard

Following the early removal of the experimental bus lane on the London Road, what information did the Council collect that will impact on the effective and efficient movement of busses serving the proposed park and ride at Bathampton?

Answer from: Councillor Anthony Clarke	Answer from:
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We undertook a significant amount of monitoring of traffic during this period, however as the bus lane was in place for only a few weeks during the summer holidays it does not provide a reliable guide as to its long-term impact during 'normal' traffic conditions. Cllr Appleyard will recall that when the P&R was proposed on Site F in 2008/9 a dedicated bus lane was proposed from the A4 Batheaston Bypass onto London Road on land the Council was going to acquire for that purpose. This new bus lane, which would be used by P&R buses, would likely be taken forward again.

M	16	Question from:	Councillor Rob Appleyard
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Why is Bath not having an event to switch on the Christmas lights this year?

Answer from: Cou	ncillor Patrick Anketell-Jones
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When the new administration took office, there was insufficient funding allocated in the budget for the Christmas lights infrastructure in the City this year. There had been an expectation that external income would bridge the gap, but agreement for such external funding had not been reached. Therefore the new administration stepped in to provide

the same Christmas Lighting coverage in 2015 as the City has enjoyed in previous years. In support of this, the Council was particularly keen to support a family-centred event this year and is linking with the Holburne Museum Lantern Procession, on Thursday 19 November. With almost 1,000 children and families taking part in a spectacular community event, the City's illuminations will light up in celebration on the same evening. The youngest members of the Holburne Museum Lantern Procession will bring their lanterns into Abbey Churchyard for the lighting of the Christmas tree. The Council was unable to continue the level of support given to the Bath BID in previous years as it faces tough financial challenges. The BID is fully supportive of the community events organised for this Christmas.

M 17 Question from: Councillor Rob Appleyard

Has Bath retained its Purple Flag for nightlife this year?

Answer from: Councillor Martin Veal

Bath City Centre retained its Purple Flag accreditation in September 2014. We are due another full assessment which will take place on 14th November 2015. Planning for this assessment is currently underway and being led by Bath Business Improvement District.

M 18 Question from: Councillor Tim Ball

Can the Cabinet Member confirm that the Council has allocated sufficient budgets to ensure that it can meet its own obligations for the introduction of 'Your Care, Your Way' and has sufficient budgets to meet any shortfall in government funding?

Answer from: Councillor Vic Pritchard

As Cllr Ball will be aware, Stage One of the formal consultation on the Council and Clinical Commissioning Group's joint review of community services concluded on October 30th.

This stage of the consultation, which was approved at Cabinet and CCG Board meetings in September, has sought views from our community around three key areas:

- Our vision
- Potential models
- Our priorities

Analysis of all feedback, both from earlier engagement and the first phase of consultation, is proving enormously helpful in informing the Outline Business Case, which is in the very early stages of being drafted.

At the December meetings of Cabinet and CCG Board, these governing bodies will be asked to approve the Outline Business Case which will include the recommendations with regards to the following core issues:

- Preferred service model and delivery of key consultation findings including vision and priorities
- Market testing methodology
- Developing the contractual model and funding mechanisms
- Financial analysis to establish 2017/18 financial envelope and planning assumptions regarding future years
- Approach to developing the workforce strategy
- Framework for specifying services
- Overarching Estates strategy

As Cllr Ball will see, both Council Cabinet and CCG Board will be asked, in December, to agree recommendations covered in the OBC, which directly relate to the funding available to deliver a new, integrated model of community services from April 2017. If Cllr Ball would like further information, including reports from the extensive engagement and consultation to this point, it can be found on the dedicated website: www.yourcareyourway.org

M 19 Question from: Councillor Tim Ball	
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Can the Cabinet Member ensure that his officers bring forward a report to the Health and Wellbeing select committee regarding Domiciliary Care? Currently it is widely reported that the service is nearing crisis point, with clients waiting over two months for simple visits. With the increase in the minimum wage increase next year it is feared that the situation will become much worse, with agencies that currently deliver the service on tight budgets being unable to deliver an adequate service. The situation could become so bad that it may even lead to Bed blocking at the RUH. The report is due to come in 2017 in a case for a review; it would be of benefit if this matter was subject to scrutiny in early 2016 to ensure that the service can be adequately delivered.

Answer from:	Councillor Vic Pritchard

I would share ClIr Ball's concerns if, indeed, domiciliary care in Bath and North East Somerset was in the crisis he describes. I would encourage ClIr Ball to share with me any reports he has received that may have given rise to his suggestion that domiciliary care is nearing crisis so that I can ensure that such cases are thoroughly investigated and appropriate action can be taken. Neither I nor Officers are aware of any cases as ClIr Ball describes.

Whilst I can assure Cllr Ball that Domiciliary Care is not in crisis, it is the case that there are now some domiciliary care and reablement service capacity issues in Bath and North East Somerset. This is particularly the case for people with complex needs whether they are receiving domiciliary care commissioned by the Council or by the Clinical Commissioning Group (in the case of people in receipt of Continuing Health Care). This is despite the fact that Bath and North East Somerset Council is one of a very small number of Local Authorities that, from most recent analysis, pay the rate for domiciliary care that is recommended by the UK Home Care Association.

The Council is actively working with local domiciliary care providers on ways of recruiting and retaining carers to address any capacity shortfalls but this is providing to be increasingly difficult and is reflective of a wider national challenging in relation to the health and care workforce, with shortages in a number of professions, including domiciliary care.

We are continuing to make every effort to address the local capacity issues in partnership with the CCG and health and care providers.

Recent initiates include:

- An increase in the number of domiciliary care agencies being used in B&NES to reduce waiting times and offer more choice. This is being supported and enabled through an increased offer of Personal Budgets/Direct Payments.
- A locally developed, cloud-based, domiciliary care case system for 'matching' individuals' needs with care provision. Recently launched, this new system is already demonstrating the benefits of: significantly reducing the time taken to identify the provider of an individuals' care package; allowing greater flexibility in response from a range of providers, increasing choice; and, also, improving the overall quality of information on need and capacity to inform the commissioning plans of both the Council and CCG.
- The development of new service, which originates from a pilot, and has been very effective at providing a 'rapid response', including to those being discharged from hospital, for people receiving end of life care or where a timelimited service is needed. This is one of a range of measures in place to reduce any Delayed Transfers of Care from hospital.

In relation to ClIr Ball's proposal that this issue is considered for a review by the Health & Wellbeing Select Committee. The focus of previous reviews by the former Health & Wellbeing Policy Development & Scrutiny Panel was on the performance of the Council's Domiciliary Care Strategic Partners with particular emphasis on those home care services that transferred from the Council when the Domiciliary Care Strategic Partnership was established. The current issues in relation to capacity in local domiciliary care provision do not relate directly to the performance of Domiciliary Care Strategic Partners, rather, it is the capacity of these partners and other providers to respond to increasing complexity and acuity of need in the wider context of health and care workforce shortages.

I would also observe, as a previous Chair of the PDS Panel, that the previous reviews did require resources from both the Panel itself and also from commissioners and providers of Domiciliary Care. Whilst it is not directly in my remit as the Cabinet Member, the Select Committee might, as an alternative, consider scheduling a report on the current capacity in the local market along with actions being taken and planned to address capacity shortfalls. This might be an alternative way for the Select Committee to scrutinise this important issue for local health and care services. As the Cabinet Member, if the Select Committee decided on this approach, I would welcome this.

M	20	Question from:	Councillor June Player
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What is the Council's position regarding the impact on Bath with the increase of student numbers at the two universities and, how is it going to ensure that there is enough suitable student accommodation available for the new intake of students in the coming years?

Answer from: Councillor Liz Richardson

The Cabinet and Council is conscious of the impacts that increasing numbers of students have had in relation to both Houses in Multiple Occupation and dedicated student accommodation. In a small City like Bath, which has a distinctive heritage, there is often the need to make choices between competing uses in order to achieve the optimal outcome. The preparation of the Placemaking Plan requires assessing the various demands for land and buildings within Bath over the forthcoming years and, based on this, formulating a spatial strategy which most delivers the Council's priorities. As part of this process, the Council has been in close liaison with both of the Universities in order to understand their aims and aspirations and to assist them in meeting these as far as possible. The Placemaking Plan will therefore set out a clear policy framework on how the Council will accommodate development and respond to planning proposals. The Plan will set out an overall strategy that seeks to responds to the aspirations of the universities as far as possible, secures the redevelopment of key sites in Bath in a way which delivers economic growth in a way which takes account of the concerns of residents and safeguards the City's heritage. Preparation of the draft Placemaking Plan is nearing conclusion and is due to be considered by Cabinet at its December meeting for public consultation.