

COMMUNITIES, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Minutes of the Meeting held

Monday, 14th March, 2016, 4.00 pm

Bath and North East Somerset Councillors: John Bull (Chair), Brian Simmons (Vice-Chair), Matthew Davies (In place of Steve Jeffries), Peter Turner, Alan Hale, Neil Butters, Dine Romero, Lin Patterson (In place of Jonathan Carr) and Michael Norton

Officers : Martin Shields (Divisional Director - Environmental Services), Peter Dawson (Group Manager for Transport Policy), Aled Williams (Environmental Protection Manager) and Robin Spalding (Senior Public Protection Officer)

Cabinet Members in attendance: Councillor Anthony Clarke and Councillor Martin Veal

57 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

58 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

59 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Jonathan Carr and Councillor Steve Jeffries had sent their apologies to the Panel. Councillor Lin Patterson and Councillor Matthew Davies were their respective substitutes for the duration of the meeting.

60 DECLARATIONS OF INTEREST

There were none.

61 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

62 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

There were none.

63 MINUTES - 11TH JANUARY 2016

Councillor Dine Romero said that she would like a mechanism within the agenda to receive updates from points raised at previous meetings

The Chairman replied that there was no place on the agenda for matters arising but said he would discuss a possible way forward when the Panel discussed their workplan later in the meeting.

Councillor Neil Butters said that with regard to his comments made under Minute 55 (Cabinet Member Update) that an investigation should be considered into an HGV ban on the A36 and asked the Cabinet Member to note his request.

Councillor Anthony Clarke, Cabinet Member for Transport acknowledged the request made by Councillor Butters.

Councillor Dine Romero referred to Minute 51 (Community Safety – General Update) and asked if the Panel should receive a private briefing on 'Prevent'.

The Chairman agreed that a briefing on this matter would be worthwhile for the Panel.

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

64 AIR QUALITY LEGISLATION

The Senior Public Protection Officer and the Environmental Protection Manager gave the Panel a presentation on this matter, a brief summary of which is set out below.

National Requirements

- Part IV of the Environment Act 1995 sets provisions for protecting air quality in the UK (Air Quality (Standards) Regulations 2010).
- Air Quality (Standards) Regulations 2010 transpose into English law the requirements of Directives 2008/50/EC and 2004/107/EC (Ambient Air Quality) and sets limits for key pollutants that impact upon public health e.g. particulate matter and nitrogen dioxide.
- UK has failed to meet the requirements of the Directive.
- European Emission standards sets limits on the maximum emissions from new vehicles.

The 2008 Ambient Air Quality Directive (2008/50/EC) sets limits for key pollutants in the air we breathe outdoors. These legally binding limit values are for concentrations of major air pollutants that impact public health, such as particulate matter (PM10

and PM2.5) and nitrogen dioxide (NO₂). The directive also sets limit values for a range of other pollutants, such as ozone, sulphur dioxide and carbon monoxide. The limits set in the Ambient Air Quality Directive are closely aligned to the UK air quality objectives, with similar metrics and levels.

In addition to the limit values, the Ambient Air Quality Directive contains requirements on Member States to address exposure reduction for PM_{2.5}. This is currently the responsibility of central government, and local authorities are not required to act on this, although many local measures to address PM₁₀ would have an impact on PM_{2.5} too (as diesel vehicles are a major source of PM_{2.5} emissions).

The UK is currently in breach of the European Ambient Air Quality Directive for PM₁₀ and NO₂. The European Commission have the right to fine them for breaching this directive, a fine which could cost millions of pounds. The UK Government have been challenged through the UK courts over this breach. Environmental Protection UK are pressurising the government for further national action, and additional support for local action, to improve air quality and protect human health. This includes our recent response to the consultation on the draft NO₂ National Plans.

B&NES Council – Statutory Duty

Bath and North East Somerset Council is legally required to review air quality and designate air quality management areas, if improvements are necessary under Part IV of the Environment Act 1995 and the Air Quality (Standards) regulations. B&NES must be in pursuit of the objectives and work towards achieving them but is not charged with meeting them.

Where an air quality management area is designated (Bath, Keynsham & Saltford), an **air quality action plan** describing the pollution reduction measures must then be put in place in pursuit of the achievement of the Air Quality Strategy and Objectives in the designated area.

Councillor Lin Patterson asked if the Council had enough machines to measure the levels of particulate matter.

The Environmental Protection Manager replied that he would be able to inform the Panel of the number of monitors the Council has later in the presentation.

- Supreme Court ruling in April 2015 forced government to implement new air quality plans for zones not predicted to comply with objectives by 2020.
- Bath and North East Somerset is in a zone (South West zone and Bristol agglomeration) that is predicted to comply by 2020, according to the governments' method of modelling.
- Government modelling doesn't pick up hotspots due to 1km squared gridded output.
- Predicted non-compliant cities: Derby; Nottingham; Southampton; Leeds; and Birmingham.

The Chairman asked how the zones are determined.

The Senior Public Protection Officer replied that they are based on emission factors and predictions over a broad area. He added that regular traffic flow is taken into account and that if it would help the Panel he would send them a briefing note to explain further.

Councillor Brian Simmons asked what we would be doing locally with regard to the proposed 2020 levels.

The Senior Public Protection Officer replied that they could apply for powers under the Road Traffic Act for enforcement measures relating to turning vehicle engines off when in traffic.

Councillor Alan Hale questioned how this would be enforced.

Councillor Neil Butters asked what the likely penalties could be.

The Senior Public Protection Officer replied that guidance was expected from DEFRA with regard to the predicted five non-compliant cities. He said that the tools currently were limited.

Councillor Michael Norton asked if for new housing developments the distance between the roads and properties could be legislated to limit the impact on residents.

The Senior Public Protection Officer replied that this could be addressed through the planning process.

Councillor Matthew Davies asked if the trees planted on the London Road had had any noticeable effect on readings in the area.

The Senior Public Protection Officer replied that it was difficult to measure any difference and that they needed to be careful not to trap emissions under the canopy of the trees.

The Environmental Protection Manager referring back to the earlier question from Councillor Patterson explained that the Council's current monitoring network.

Automatic monitors in enclosures:

- - Lower Bristol Road - NO_x (NO + NO₂), PM₁₀
- - London Road (Snow Hill) - NO_x (NO + NO₂), PM₁₀, PM_{2.5}
- - London Road (Antiques shop) - NO_x (NO + NO₂)
- - Guildhall - NO_x (NO + NO₂)

Moveable automatic monitors:

- Bathwick Street
- Larkhall schools
Measuring - NO_x, NO, NO₂, SO₂, temp, humidity, pressure

NO₂ Diffusion tubes:

- 60+ locations
- Changed monthly for monthly average values

PM2.5

'Local Authorities have a new, flexible role in working towards reducing emissions and concentrations of PM2.5'...

Local Authorities are expected to work towards reducing emissions and concentrations of PM2.5 in their local area as practicable. In doing so they are not required to carry out any additional local review and assessment (including monitoring) but make use of national monitoring....

The EU Ambient Air Quality Directive does however set out air quality standards for PM2.5 including an exposure reduction obligation, a limit value (25µg/m³), which may act as a guide in how you choose to interpret your role.' (Local Air Quality Management Policy Guidance [PG16] 2016)

In 2015 at the junction of Snow Hill with London Road, over a 3 month period the average measurement was 9µg/m³.

Air Quality Management Areas

The Panel will discuss the Air Quality Action Plans for Saltford & Keynsham in May and following this they will review the one for Bath.

Actions

- Air Quality Monitoring
- Freight Consolidation Vehicle
- Electric Vehicles for Council use

Councillor Alan Hale asked what can the Council do to achieve the required reductions, should it consider removing a loop of traffic.

The Senior Public Protection Officer replied that Widcombe Parade has seen a significant drop in its levels since being reconfigured.

Councillor Lin Patterson said that she was pleased to see the results achieved in Widcombe and called for further use of electric vehicles and public transport to achieve reductions.

The Senior Public Protection Officer said that the growth in use of electric vehicles has been quite steep and that the Council must make sure that the infrastructure is strong. He added that funding had been achieved to improve vehicle charging facilities.

Councillor Anthony Clarke, Cabinet Member for Transport said that the administration was looking at a wide range of options including discussions with First Bus regarding their vehicle engines. He added that talks relating to a North / South bypass and an East / West bypass were ongoing and that a new 18A junction for the M4 is being debated.

Councillor Dine Romero urged the Council to not rest on its laurels and to achieve the objectives set for 2020.

Councillor Lin Patterson asked if there were sufficient resources allocated for the work required.

The Environmental Protection Manager said that he was confident that the Council had what it needed in terms of equipment to maintain their record on monitoring.

The Chairman thanked both officers for the presentation and said that he looked forward to the Panel receiving the Air Quality Action Plans for Saltford & Keynsham in May.

65 TRANSPORT STRATEGY

The Group Manager for Transport Policy introduced this item to the Panel. He informed them that work on the strategy for Chew Valley had not fully commenced yet and was near to a public consultation stage.

Bath Transport Strategy

Adopted November 2014

14 Policy areas within the Strategy, below are a summary of points regarding some of them.

- Walking

Improvements made to outside the Guildhall, Seven Dials and Stall Street

Councillor Alan Hale commented that shared spaces were not always good for citizens who are partially sighted or blind.

The Group Manager for Transport Policy replied that there had been a slight tension in achieving this aspiration but discussions were held with the RNIB. He added he would welcome a forum where groups can sit down with the Council and agree the best way forward. He said that these schemes can also lead to a reduction in blue badge parking spaces.

Councillor Dine Romero asked why double yellow lines were put in place on Stall Street following the improvements.

The Group Manager for Transport Policy replied that this was a compromise as the number of signs that would have been required to signify where to park would have been significant.

Councillor Lin Patterson said that if a forum were agreed that the RNID should also be included. She asked if there were enough cycle parking spaces within the Council.

The Group Manager for Transport Policy replied that he would encourage cycle racks wherever possible as he felt there was an unmet demand.

- Cycling

Dedicated cycle route between Bath Spa University and the centre of the City and plans for similar within the new Quays area and the Enterprise Zone.

- Off Street Parking

Works ongoing within North Quays and Avon Street with coach parking to be accommodated on Weston Island on a temporary basis.

Councillor Dine Romero asked if while this work was being carried out any provision had been made for students attending the City of Bath College.

The Group Manager for Transport Policy replied that he was not aware of any specific drop off plans at this stage. He said that he would look into the matter on behalf of the Panel.

- Park and Ride

This has been a major work stream for the department and has heavily involved the LDF Steering Group over the last few months. This Panel will hold a special meeting next week to discuss the matter further.

Councillor Dine Romero asked how well were other options for the Park & Ride, such as work to the A350 and an additional M4 junction being considered.

The Group Manager for Transport Policy replied that a West of England study was being carried with regard to a possible 18A junction. He added that any plans for a link road require the involvement of Highways England.

Councillor Lin Patterson asked how thorough have the various Park & Ride sites been researched.

The Chairman replied that the work regarding the sites has been very thorough with the LDF Steering Group alone meeting numerous times since January.

- Rail

The Council supports the Metro West improvement plans which include a station at Portishead, more services to stop at Keynsham & Oldfield Park and the main line electrification programme.

- Heavy Goods Vehicles

We continue to work Wiltshire, Dorset and Highways England on this matter.

Councillor Dine Romero asked if we can seek inclusion of the works we are seeking in the Highways England budget by 2020.

The Group Manager for Transport Policy replied that the Council was developing a communication strategy to highlight the need for their involvement.

- River

Some options exist for further use of the river through proposals for the Park & Ride.

Keynsham Transport Strategy

Agreed by Cabinet in July 2015

To minimise the negative effects of traffic congestion in and around Keynsham and ensuring it retains its independence and its separate identity within an attractive rural setting by becoming a more sustainable, desirable and well-connected place in which to live and work.

Since then we have:

- Reviewed Pedestrian and Cycle Routes Outside the Town Centre
- Improved Keynsham High Street Public Realm
- Reviewed Future Car Parking Demand
- Begun an Avon Mill Lane/A4 Link Road Assessment

The Group Manager for Transport Policy said that he hoped to be able to publish a draft of the Chew Valley Transport Strategy in April / May and would bring it to the next appropriate meeting of the Panel.

The Chairman thanked him for his presentation on behalf of the Panel.

66 WEST OF ENGLAND TRANSPORT STUDY UPDATE

The Group Manager for Transport Policy introduced this item to the Panel. He said that the aim of the Joint Spatial Plan and Transport Study is to bring developments across the West of England in a planned and co-ordinated manner up to 2036. He added that it was important to have a good solid vision in place for projects that take a substantial amount of time.

Study Objectives

- Reduce Carbon Emissions
- Support Economic Growth
- Promote Accessibility
- Contribute to better safety, health and security
- Improve quality of life and a healthy, natural environment

He showed the Panel data relating Car / Public Transport use from the 2011 Census which showed high public transport usage from the Bath Spa University campus.

Consultation

Undertaken between 9th November 2015 and 29th January 2016

Over 40 consultation/roadshows events

Over 1,000 people attended with many more engage through social media.

Awaiting full consultation report

Timetable

Draft Spatial Plan, including transport investments to address current challenges and forecast development - September 2016
Submission to Secretary of State - Summer 2017

The Chairman thanked him for his presentation on behalf of the Panel.

67 CABINET MEMBER UPDATE

The Cabinet Member for Community Services, Councillor Martin Veal addressed the Panel.

He informed them that free roof treatments to remove gull nests are soon to be on offer as one of many measures being taken by the Council to deter the gull problem in the area. Birds of prey will also be used as an additional way of deterring gulls from nesting in areas where they see the predators.

The work is part of a series of trial measures to deter gulls from settling in the city as part of an innovative 18 month project that was approved by the Cabinet last month as part of the Council's new Gull Strategy.

He said that the unauthorised occupancy of the Newbridge Park & Ride had been brought to a conclusion.

He wished to thank all involved in the production of the Guide to Busking & Street Performance in Bath.

He explained that the Council has been running an approved traders scheme since January 2007 and that it has now merged its scheme with other local authority schemes under the Buy With Confidence logo. He added that the Council is committed to ensuring the traders on this scheme treat all people fairly, and do not discriminate on the grounds of age, race, disability, gender, religion or sexual orientation.

He said that work regarding the Water Space Study is underway and will focus on the River Avon and Kennet and Avon Canal (Deep Lock to Limpley Stoke Viaduct). He informed the Panel that the Council is working in partnership with the Environment Agency, the Canal and Rivers Trust and Wessex Water to develop an evidence base, undertake public and stakeholder consultation and identify opportunities to deliver enhancements to these waterways and adjoining land.

He stated that the study is due to be completed by March 2017 and that public consultation on the emerging Water Space Study will take place as part of the Bristol to Bath Festival of Nature 2016 (10 - 25 June).

Councillor Dine Romero asked what the Council were doing with regard to identifying riparian rights along its waterways.

Councillor Veal replied that these were sometimes difficult to ascertain, but that they would do their utmost to identify them.

Councillor Dine Romero asked who would clear the large branches currently in situ on Pultney Weir.

Councillor Veal replied that Avon Fire & Rescue could advise on this matter.

Councillor Anthony Clarke, Cabinet Member for Transport addressed the Panel. He stated that the project to upgrade the canal towpath has commenced and works are expected to last for up to 18 weeks, with a scheduled completion of Friday 15th July 2016. He said that the project is being undertaken in partnership between the Canal & River Trust and Bath & North East Somerset Council and is being funded predominantly via the Department for Transport's, City Cycle Ambition Fund 2.

He informed the Panel that a further one year contract for the Freight Consolidation Service had been agreed and would incorporate the Council using the service more and deliveries to Keynsham.

Councillor Lin Patterson commented that she was pleased to see the planned improvement works for the canal towpath. She asked if signage relating to pedestrian safety would be put in place as part of these works.

Councillor Clarke replied that the Canal & River Trust is responsible for the towpath, but that he was personally committed to putting adequate signage in place.

Councillor Neil Butters said that he was aware that some residents had concerns over the likely increased traffic flow that the new development in Foxhill will create. He asked if Curo still had plans to develop a cable car system.

Councillor Clarke replied that no direct approach had been made to the Council but that the idea of a cable car still remains on Curo's agenda. He added that he was not against the issue being explored but that there was an issue relating to the loss of amenity for residents

Councillor Butters asked if he could give some thought to putting in place a roundabout at the top of Entry Hill.

Councillor Clarke replied that there are important issues to be addressed along North Road and that a significant increase in traffic flow is to be expected. He added that he was not aware of any current discussions relating to the proposed roundabout.

The Chairman thanked both of the Cabinet Members for their updates.

68 PANEL WORKPLAN

The Chairman explained to the Panel that the Children & Young People Scrutiny Panel were trialling a new way of working which would consist of having reports two weeks in advance of the meeting and having a thirty minute pre-meeting directly before the Panel takes place to produce focused questions for the meeting.

Councillor Dine Romero commented that she liked the opportunity to have an earlier sight of reports and urged for reports to be as detailed as possible.

The Panel agreed to take part in the trial as described by the Chairman.

The Chairman said that he was concerned over receiving too many 'update' items. He suggested that they could receive a future report relating to the rise of domestic violence in the Somer Valley and possibly hear from somebody working on the 'Freedom' campaign.

Councillor Dine Romero asked for the Buses Bill 2017 to be placed on the workplan and for the Fit for Life report due in May to include details of the contract provision.

The Panel approved with the suggestions made for the workplan.

The meeting ended at 6.45 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services