

CABINET MEETING 4th May 2016

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 on the Agenda

- Barry Henderson (secretary of FOBRA) re: Park and Ride
- Andrew Lea re: Park and Ride
- Annie Kilvington re: Park and Ride
- Tim Williams re: Park and Ride
- Christine Boyd re: Park and Ride
- Nicolette Boater re: Park and Ride
- Cllr Dine Romero re: Park and Ride
- Cllr Dine Romero re: 97/101 Walcot St Genesis Trust

QUESTIONS AND ANSWERS - COUNCILLORS

M 01	Question from:	Councillor Nigel Roberts
<p>At the time that the planning application was being processed for the old Radway petrol station on the Wellsway I was concerned and articulated that having a student development with only one disabled parking space would not work. I was assured that the issue of parking would be enforced by way of condition.</p> <p>The road now has a number of cars that appear to come from the development, please could the Executive Councillor now indicate what the next steps will be?</p>		
Answer from:		Councillor Liz Richardson
<p><i>Planning permission was approved subject to a legal agreement to restrict future occupiers of the development from parking within 2km of the site. The development is now complete but the building is not occupied and so there are no occupants in residence to link to parking in nearby roads and the requirement of the legal agreement is not triggered.</i></p> <p><i>Should there be a breach of the legal agreement or planning permission in future the Planning Enforcement Team will investigate in line with the Council's adopted policy.</i></p>		

M 02	Question from:	Councillor Nigel Roberts
<p>Please could the Executive Councillors give an update on the Keynsham and Bristol Riverside path and planned new bridge funded by Somerdale development?</p> <p>Which department is leading on this development?</p> <p>What works are being done to provide routes to this bridge?</p>		
Answer from:		Councillors Liz Richardson and Anthony Clarke
<p><i>It is planned that the Council's Project Delivery team will lead on commissioning and delivering the bridge. Cycle/pedestrian routes will be incorporated in the Somerdale site between Station Road and the river as part of the development.</i></p>		

M 03	Question from:	Councillor Nigel Roberts
<p>Do we use glyphosate-containing pesticides in any of the parks in Bath and north East Somerset?</p>		
Answer from:		Councillor Martin Veal
<p><i>Yes. The Council has a detailed pesticide policy, which is reviewed and updated in light</i></p>		

of new directives and guidelines as necessary and details all non-approved active ingredients in pesticides. Glyphosate is an approved chemical for use in the UK and is an active ingredient in most of the pesticide we use.

M 04	Question from:	Councillor Liz Hardman
In the light of the forced Academisation of all schools, how will the LA fulfil its statutory duties in providing school places, when it has no control over the admission policies of Academies? Academies therefore do not have to admit some children within their catchment areas which could present huge problems for our LA.		
Answer from:		Councillor Michael Evans
<i>Academies have a higher degree of autonomy in many aspects compared with maintained schools and that includes responsibility for their own admission policies, provided that those policies comply with the School Admissions Code. However the LA will continue to foster a close working partnership with schools in the authority whatever their form of governance. We currently retain good working relationships with our schools and academies and to date have generally been able to agree expansion plans where needed, as set out in the Primary and Secondary School Organisation Plan 2015-19. When necessary the LA will be able to commission new schools. Two new schools will open in September 2017 and further new schools are in the pipeline.</i>		
Supplementary Question:		
It is known, from the past, that it was difficult to place more difficult children in academies. Does Local Authority have a plan to tackle placements of more difficult children knowing that academies have their own admission criteria?		
Answer from:		Councillor Michael Evans
<i>There are several things within the White Paper in terms of Local Authority gaining responsibilities and powers to enforce placement. The White Paper is open for consultation and I will consult the officers to make several points in the consultation, amongst which an issue you raised could be one of them. I think it is important that academies should be as open as possible, though there is a balance and a judgement to be made.</i>		

M 05	Question from:	Councillor Robin Moss
Regarding Education White Paper: Considering the disquiet being expressed by local authorities of all political persuasions across the country to the forced acadamisation of schools, have you made any comment to the DfE or the minister about these proposals?		

Have you consulted with local schools (teachers, governors & parents) about their views on these proposals?

Are you considering supporting and/or enabling a local multi academy trust?

Do you share my concerns that the control of local schools is being taken away from local communities, for example the new primary school in Keynsham will be run by an educational organisation based in Ireland?

Answer from:

Councillor Michael Evans

1. *I have not personally commented to Ministers about the proposals in the White Paper as my views align broadly with those of the government, i.e. Local Authorities should continue to play a role in the local schools system, in terms of place planning, admissions, SEND provision, transport, being a parent champion and working with schools to raise standards, whilst recognising that academies deliver long term educational benefits to current and future pupils.*

2. *Informally I have gathered views through my role as a school governor and in meetings I have had with head teachers at my request, and with some primary school governors at their request. Formally, a series of briefings with Head Teachers and Chairs of Governing Bodies has taken place about the future shape of the education and school system in B&NES bearing in mind the move towards academies, a national funding formula for schools and the creation of new agencies to carry out functions previously performed by Local Authorities. The White Paper will be a focus for the next round of briefing meetings with schools.*

3. *I have asked Officers to initiate a dialogue with those schools that have not moved towards becoming an academy to see how they can be supported in doing so. If, following discussion of the White Paper, the government further encourages the formation by Local Authorities of spun-out sponsoring trusts, I would be in favour of actively exploring this option.*

4. *I am pleased that the Regional Schools Commissioner is considering sponsors from a wide pool and look forward to the possibility of sponsors from other excellent educational regimes, contributing towards the drive for excellence in our schools. The Local Authority will continue to foster a close working partnership with all our schools, whatever their governance, and all schools will be monitored by Ofsted for performance and safeguarding, with parents being better informed than they are at present, as envisaged in the White Paper Educational Excellence Everywhere.*

M 06

Question from:

Councillor Robin Moss

As a part of B&NES initiative to crack down on fly tipping, what support is being given to Parish & Town Councils to identify & prosecute fly tipping?

Answer from:

Councillor Martin Veal

Martin Shields, Divisional Director Environmental Services is already scheduled to attend the next Parish Liaison meeting on the 11th May and he will be discussing this issue with them. We would welcome working with our Parish and Town Councils to help

us tackle the problem of fly tipping and the blight this brings to our local communities. We will also be discussing this issue at the Area Forum meetings to ensure we use every opportunity available to engage with local people. In the meantime, any urgent issues should be reported to Council Connect or to Carol Maclellan, Group Manager Neighbourhood Environmental Services who will provide the appropriate advice and support.

M 07	Question from:	Councillor Tim Ball
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Again I raise questions over the suitability of some local roads to be able to accommodate large buses due to the poor condition.

In Twerton we have large buses using badly broken up roads from 6am in the morning until past midnight.

Residents are complaining of the extra noise of these buses rattling the broken concrete slabs that many roads are made of and the further breaking up of the surface.

It would be a shame if the bus company could not run buses on part of this route due to the condition of the road. This is not just a problem with pot holes that need filling this is the fabric of the roads breaking up.

1) Will the Cabinet Member in light of the increased usage with large buses carry out a full study and audit of the number 5 bus route through Twerton and take action to install repairs to the road surfaces in Kekston View, Wedgewood Road, North Way and Poolemead Road?

2) Will the Cabinet Member agree to meet me in Twerton with First Bus to see the problem first hand for himself, and possibly take a bus Ride at the same time?

Answer from:	Councillor Anthony Clarke
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There are inherent problems with rigid concrete roads across the whole of Bath. Our highways team have been in discussions with Councillor Ball on the roads in question, at the moment none are considered in bad enough condition to feature on any structural maintenance programmes in the very near future, the team will however look at options to improve the situation around damaged joints and rocking slabs and schedule any wider repairs needed on isolated areas. Our area highway inspector who visits the roads on a routine basis will address any safety defects as and when they arise.

I would be willing to accompany Councillor Ball on a visit to Twerton.

M 08	Question from:	Councillor Lisa Brett
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Council-maintained schools continue to outperform academies in Ofsted inspections, according to the LGA.

LGA data shows that “inadequate” council-maintained schools are more likely to improve if they stay with their local authority, rather than being forced to convert to an academy, as 98% of council-maintained schools improved in their first Ofsted inspection after being rated “inadequate”, compared with 88% of academies.

Could Cllr. Evan indicate if he is willing to instruct officers to undertake a cost benefit analysis of establishing a Primary School Academy Trust under B&NES Control?

Answer from:	Councillor Michael Evans
<p>1. <i>The Academies programme is a continuation of a movement towards school-led educational improvement which began with the Local Management of Schools long ago, found expression in the sponsored Academies of the last Labour government, was expanded considerably under the Liberal Democrat/Conservative Coalition government with converter academies, and is now being brought to what can be considered in some ways a conclusion by the current government.</i></p> <p>2. <i>Data from the DfE indicates that primary converter academies previously rated as outstanding were more likely to retain that rating than local authority maintained schools previously rated as outstanding, that primary converter academies previously rated as good were more likely to subsequently be rated as outstanding than local authority maintained mainstream schools and were also less likely to achieve a lower rating, and primary converter academies previously rated as satisfactory were more likely to improve that rating than local authority maintained schools. The same comparisons hold true for secondary schools, except that secondary converter academies previously rated as outstanding were only marginally more likely to retain that rating than local authority maintained mainstream schools. However, it is important to recognise that in a changing landscape with more schools choosing to become academies every year it is difficult to draw reliable conclusions from any particular set of figures.</i></p> <p><i>Officers have begun to draft a report on the implications of the recently published White Paper. In addition a scoping paper on a review of the Council's education functions is under development to reflect (i) the White Paper (ii) the move to a national funding formula for schools and (iii) the increasing pace of academy conversion and the development of Multi Academy Trusts. Recent indications that the Government may allow successful Local Authorities to develop MAT proposals are welcome and my Officers will initiate a discussion with schools about the appetite for such a development once the proposals are clear. I would point out that such a MAT if established could not be "under B&NES control" as you describe but rather the LA would be one partner in such a local MAT and would seek to ensure a strong aspirational governance to enable all children to achieve their full potential.</i></p>	

M 09	Question from:	Councillor Rob Appleyard
What is the average cost of a pothole repair to the Council and how many potholes has the Council repaired in the last 12 months?		
Answer from:		Councillor Anthony Clarke
<i>For this year to date, members of the public have reported 866 Carriageway potholes and 22 Footway potholes. For the same period we have filled 1345 Carriageway potholes and 29 Footway potholes.</i>		

In respect to average costs there are a lot of variables to consider but current average repair cost is estimated as £30 per pothole.

M 10	Question from:	Councillor Tim Ball
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Can the Cabinet Member please either dismiss or confirm rumours circulating that there could be a cut to subsidised bus services in the Bath area?

Answer from:	Councillor Anthony Clarke
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The Council is currently undertaking a Strategic Review of Transport with the aim of considering the Council's entire transport spend and ensure that it is proportionate and value for money. This includes ensuring best possible value for passengers from the level of investment required to support each service, for example where the service is nearing commercial viability and could be taken on by the operator without, or with a reduced, subsidy or where other public transport options, such as community based transport options, could potentially be more effective.

QUESTIONS AND ANSWERS - PUBLIC

P 01	Question from:	Rosemary Naish (Chair - Clutton Parish Council)
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We welcome the Chew Valley Transport Strategy consultation that is currently under way. We recognise that the building of 60mph trunk standard bypasses is probably not economically feasible, to alleviate the congestion problems, but can the Cabinet member give us assurance that serious consideration will be given in the Chew Valley Transport Strategy review to providing some affordable local loop bypasses, built to lower standards and aimed at achieving smooth flow of 30-40mph, which is also the best formula for minimising pollution, as there is no mention of this possible alternative strategy in any of the consultation material.

Answer from:	Councillor Anthony Clarke
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I will ask officers to consider this option as part of the work to develop the strategy for the Chew Valley and include your suggestion in the report on the consultation.

P 02	Question from:	Cllr Judith Chubb-Whittle (Chair Stanton Drew Parish Council)
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Stanton Drew Primary School is federated with Bishop Sutton Primary School in the Chew Valley.
Chew Valley North (Stanton Drew group) is scheduled to be oversubscribed whilst

Chew Valley South (Bishop Sutton group) is scheduled to have spare capacity. Whitchurch is full, which may push children to Chew Valley North. St Keyna is looking pretty full with new development along Charlton Road, which may also push children towards Chew Valley North.

The capacity of schools is based on a figure for Reception entry. No class should be larger than the entry to reception. The total maximum capacity is 7 times reception entry with the proviso on class limit.

The strategic documents that Cabinet consider tonight only look to the end of the nose. Is it only about numbers for BANES or can the Cabinet member assure me and other rural parishes like mine that there has or will be a fundamental review of school place delivery in Chew Valley and elsewhere in terms of school buildings/environments fit for purpose/21st century? Or should we suspect that would be for an academy group if the head is sufficiently visionary?

Answer from:

Councillor Michael Evans

The Schools Organisation Plan is our forward look at projections of need for school places and takes into account population growth, known housing developments and the feasibility of schools expanding their intakes – so this plan IS primarily about numbers and how we satisfy our duty to ensure sufficient school places. Issues relating to condition of school buildings are considered through the Schools Capital Programme and the conversations are joined up through the Schools Capital and Organisation Team, so that opportunities are taken to combine expansion plans with works to upgrade existing facilities where practical.

The Council is reliant on capital from government grants (for Capital Maintenance and Basic Need growth) and from developers where appropriate, to improve, expand or build schools. There is currently no source of capital for major modernisation or re-building schemes.

The projected need for reception places in the Chew Valley North area suggests a shortfall of 6 places by 2019, so the options for addressing this will be looked at in the intervening period. There may be appropriate ways to manage this within existing school sites. There are already emerging plans to create capacity in Keynsham and prevent additional pressure from this direction.

In future, if all schools become academies, it will be for the academy (or Multi-Academy Trust) to consider site condition issues, but we will expect to continue to work with schools to jointly consider the best ways to meet demand for school places, as we do now.