

Cabinet Single-Member Decisions and Responses to Recommendations from PDS Panels

published 27-Aug-16 to 3-Nov-16

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&dm=3>

Adoption of the Public Protection and Health Improvement Enforcement Policy

The Public Protection and Health Improvement Enforcement Policy has been reviewed and updated to ensure that it is relevant and up to date.

Decision Maker: Cabinet Member - Community Services

Decision published: 01/11/2016

Effective from: 09/11/2016

Decision:

The Cabinet Member agrees to the adoption of the amended Enforcement policy.

Lead officer: Suzanne McCutcheon

Whitchurch Primary Land Purchase for Expansion

Approval to proceed to purchase land adjacent to Whitchurch Primary. Whitchurch Primary is to expand by 105 places to accommodate pupils from housing development in the area. In order to expand a piece of adjacent land needs to be purchased.

Decision Maker: Cabinet Member - Children's Services

Decision published: 31/10/2016

Effective from: 08/11/2016

Decision:

The Cabinet Member agrees to approve a capital budget of £30,000 from S106 developer contributions received to purchase the land from the Whitchurch Royal British Legion.

Lead officer: Anne Leach

RULE 16 - Property acquisition - Bath

The capital programme for 2016/17 currently has £5.9m fully approved and a further £5m provisionally approved for property acquisitions. This report seeks to move an

element of the £5m provisionally approved budget to a full approval in order to fully fund an acquisition of a property interest in Bath.

The decision is urgent as a result of the owner of the property requiring a completion date within 10 working days of exchanging Heads of Terms which were agreed on 12 October 2016. Appropriate due diligence will be undertaken prior to completion.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 27/10/2016

Effective from: 26/10/2016

Decision:

The Cabinet Member agrees that £1,861,650 of the £5million funding provisionally approved by Council in February 2016 for property acquisition be fully approved.

Lead officer: Richard Long

Decision to participate in a 100% Business Rates Retention Pilot commencing 1 April 2017

The Government is introducing pilot schemes in 2017/18 in advance of full 100% business rate retention later in the parliament. Only authorities with signed devolution deals are eligible to be in a pilot: the pilot for the West of England would therefore include B&NES, Bristol and South Gloucestershire. The 100% pilot would give the West of England authorities the opportunity to retain 100% of any business rates growth over the next two to three years, with no downside financial risk. It also gives the West of England authorities the opportunity to help shape the national scheme.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 17/10/2016

Effective from: 25/10/2016

Decision:

The Cabinet Member agrees that:

- (i) B&NES joins a 100% business rate retention pilot with Bristol and South Gloucestershire in 2017/18, subject to the final ratification of the Order for the West of England Devolution Deal.
- (ii) The principles of the 100% business rate retention pilot proposed by the Department for Communities and Local Government (DCLG) on the basis that the pilot will not leave any of the pilot authorities in the West of England any worse-off in financial terms.
- (iii) The final decision on the terms of the pilot following DCLG issuing a detailed proposal later in October 2016 be delegated to the Council's Chief Financial Officer in consultation with the Cabinet Member for Finance & Efficiency.

(iv) The funding streams that are proposed for the 100% business rate retention pilot, as set out in the supporting report, are approved.

(v) Agreement on the terms of a Memorandum of Understanding governing the redistribution scheme to ensure that no individual Authority can receive less than it would have done under the existing 50% scheme be delegated to the Council's Chief Financial Officer.

Lead officer: Tim Richens

River Corridor Fund 2016-17

Within the Council Budget approved on 16th February 2016, a capital fund of £150,000 was provisionally allocated for the River Corridor Fund 2016-17.

In order to bring forward the River Corridor Fund it is necessary to draw down against the allocated £150,000 capital funding.

Decision Maker: Cabinet Member - Homes and Planning

Decision published: 10/10/2016

Effective from: 18/10/2016

Decision:

The Cabinet Members agree that £80,000 of the provisional allocation of £150,000 within the 2016/17 capital programme be allocated to three specific river corridor projects:

- a. Up to £10,000 for a feasibility/viability assessment for mooring Investment on Council owned land, including Pulteney Moorings;
- b. £50,000 on Strategic Flooding Project: to provide essential partner match funding towards Environment Agency Strategic Outline Business Case for major repair of Twerton gates (maintain current standard) and explore and implement improvement options at Pulteney gate; and
- c. £20,000 on a Bat Habitat Strategy for River Corridor Development Sites (Bath Enterprise Area: Bath Quays).

Lead officer: Tim Hewitt

Housing Services Temporary Accommodation Placement Policy

This policy articulates how temporary accommodation is supplied and allocated in order to meet our statutory duties to eligible homeless households.

Decision Maker: Cabinet Member - Homes and Planning

Decision published: 30/09/2016

Effective from: 08/10/2016

Decision:

The Cabinet Member agrees that the Temporary Accommodation (TA) Placement Policy is adopted.

Lead officer: Sue Wordsworth

Saw Close Public Realm Improvements

Saw Close Public Realm.

Decision Maker: Cabinet Member - Transport

Decision published: 29/09/2016

Effective from: 07/10/2016

Decision:

The Cabinet Member agrees that the provisionally approved budget of £2.05m be given Full Approval to complete the design and deliver the Saw Close Public Realm project.

Lead officer: Tim Hewitt

Green Investment and Jobs Fund: Investment in Old Mill Hotel Hydro

The Green Investment & Jobs Fund (£1m) was approved by Council in February 2014, as 'Investment of a policy loan in local renewable energy projects to further a range of Council policy objectives, whilst generating a source of income for the Council and contributing to the creation of 'green' jobs.'

Decision Maker: Leader of the Council

Decision published: 19/09/2016

Effective from: 27/09/2016

Decision:

The Cabinet Members agree to the Council making a policy loan of £130,000 from the Green Investment & Jobs Fund to Bath & West Community Energy's Bathampton Old Mill Hotel Hydro project.

Lead officer: Jane Wildblood

Housing Services Reconnection Policy

The policy aims to help rough sleepers off the streets quickly. It sets out how we reconnect rough sleepers without a local connection by helping them to return home with an offer of accommodation and support. Rough sleepers with a connection to Bath and North East Somerset are helped to find housing and support within our district.

Decision Maker: Cabinet Member - Homes and Planning

Decision published: 06/09/2016

Effective from: 14/09/2016

Decision:

The Cabinet Member agreed that the revised Housing Services Reconnection Policy is adopted.

Lead officer: Sue Wordsworth

South West Outer Area, Bath TRO

Consideration of responses to public consultation.

Decision Maker: Cabinet Member - Transport

Decision published: 30/08/2016

Effective from: 07/09/2016

Decision:

The Cabinet Member AGREES that the proposals be implemented, modified or withdrawn as below:

1.1 Restrictions as detailed on plan A11 and A12.

Roads affected: Sheridan Road, Poolemead Road, Shaws Way, and Cameley Green

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.

1.2 Restrictions as detailed on plan B11.

Roads affected: Cleeve Green

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.3 Restrictions as detailed on plan D12.

Roads affected: Millmead Road, South Avenue, and Mayfield Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.4 Restrictions as detailed on plan D13.

Roads affected: Victoria Close, Dartmouth Avenue, and Lymore Gardens

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been

requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.5 Restrictions as detailed on plan D18.

Roads affected: Barrow Road and Frome Road.

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.6 Restrictions as detailed on plan D16.

Roads affected: Stirlingale Road.

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.7 Restrictions as detailed on plan E14.

Roads affected: Cotsworld Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.8 Restrictions as detailed on plan E14.

Roads affected: Oldfield Lane.

Restriction: Proposed No Stopping, Mon – Fri, 8am – 6pm on School Entrance Markings.

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and creates a safety concern for children leaving and arriving at the school entrance. The current No Parking Between 8am – 6pm restriction still allows people to drop off and pick up in this location. This is considered to be unsafe. It is therefore recommended that these proposed No Stopping, Mon – Fri, 8am – 6pm on School Entrance Markings are implemented.

1.9 Restrictions as detailed on plan F16.

Roads affected: Bloomfield Road and Englishcombe Lane

Restriction: Proposed No Waiting At Any Time markings.

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions and 1 comment of support. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented

1.10 Restrictions as detailed on plan D11.

Roads affected: Burnham Road and Lower Bristol Road

Restriction: Proposed No Waiting At Any Time markings.

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.

1.11 Restrictions as detailed on plan D11.

Roads affected: Bellotts Road.

Restriction: Proposed No Waiting At Any Time markings and No Waiting Between Mon – Sat, 7am – 6pm markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions. These restrictions have been requested by the local Councillors, as parking in these locations obstructs access. It is therefore recommended that these proposed restrictions are implemented.

1.12 Restrictions as detailed on plan E11.

Roads affected: South View Road, Caledonian Road, Denmark Road, and Stuart Place

Restriction: Proposed No Waiting At Any Time markings.

Recommendation: That the proposals are implemented as the Council received only 1 objection to the implementation of these restrictions and 1 comment of support in part. It was felt that the additional No Waiting At Any Time markings would further restrict the valuable and limited on-street parking availability in the area and lead to the migration of parking issues. These restrictions have been requested by the local Councillors, and approved by the area safety engineer as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.

1.13 Restrictions as detailed on plan E13.

Roads affected: Third Avenue and Second Avenue

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented. The Council received 2 objections to the implementation of these restrictions based on the limited available on-street parking stock and the pressures on local residents and the lack of current enforcement. These restrictions have been requested however by the local Councillors and agreed by the area safety engineer, as parking in these locations

obstructs access. It is therefore recommended that these proposed restrictions are implemented.

1.14 Restrictions as detailed on plan E15.

Roads affected: Moorfields Road (eastern end)

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are withdrawn. The Council received 3 objections to the implementation of these restrictions based on the limited available on-street parking stock and the pressures on local residents and no comments of support. It is therefore recommended that these proposed restrictions are not implemented.

1.15 Restrictions as detailed on plan D15, D14, and E15.

Roads affected: The Oval, Oak Avenue, Englishcombe Lane, Acacia Grove, Ash Grove, Chestnut Grove, Cedar Grove, Beech Grove, Moorfield Road, Hazel Grove, and Monksdale Road.

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are modified. The Council received 4 objections to the implementation of these restrictions based on the limited available on-street parking stock and the pressures on local residents and no comments of support. These restrictions however have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed restrictions are implemented in part around the junctions only of The Oval with Monksdale Road, Hazel Grove, Ash Grove, Chestnut Grove, Acacia Grove, Oak Avenue, Cedar Grove, Moorfield Road, and Beech Grove and Oak Avenue with Englishcombe Lane, to improve access and visibility for emergency and refuse vehicles.

1.16 Restrictions as detailed on plan F13 and F14.

Roads affected: Bloomfield Avenue and Oldfield Road.

Restriction: Proposed No Waiting At Any Time markings and No Waiting Between Mon – Fri, 8am – 6pm.

Recommendation: That the proposals are modified. The Council received 4 objections to the implementation of these restrictions based on the limited available on-street parking stock and the pressures on local residents and 4 comments of support in part. A wish to include further restrictions on the opposite side of the highway was expressed but only those restrictions recommended can be considered. Additional restrictions must be considered through a further consultation process. These restrictions have been requested by the local Councillors, as parking in these locations obstructs visibility and access. It is therefore recommended that these proposed restrictions are implemented in part. It is recommended that the No Waiting At Any Time markings around the junction of Oldfield Road and Bloomfield Avenue are implemented to improve access and visibility for emergency and refuse vehicles. It is also recommended that the proposed No Waiting At Any Time markings on the north west and north east corners of Bloomfield Avenue as

indicated on the plans F13 and F14 are implemented to improve access and visibility for emergency and refuse vehicles. It is also recommended that the No Waiting Between Mon-Fri, 8am-6pm on the western side of Bloomfield Avenue outside property number 42 is implemented as parking on both sides of this section of highway during peak periods causes an obstruction. It is recommended that the other two proposed sections of No Waiting Between Times markings are not implemented at this time due to the limited available on-street parking stock and objections from local residents.

Lead officer: Kris Gardom

South East Outer Area, Bath TRO

Consideration of responses to public consultation.

Decision Maker: Cabinet Member - Transport

Decision published: 30/08/2016

Effective from: 07/09/2016

Decision:

The Cabinet Member AGREES that the proposals be implemented, modified or withdrawn as below:

1.1 Restrictions as detailed on plan G13 and H13.

Roads affected: Calton Gardens

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are withdrawn as the Council received 37 objections to the implementation of these restrictions and no comments of support. It is therefore recommended that these proposed No Waiting At Any Time markings are not implemented at this time.

1.2 Restrictions as detailed on plan H17.

Roads affected: Meare Road and Queen's Drive

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received only 1 objection to the implementation of these restrictions, however these proposals were requested by Local Councillors to improve access and visibility for emergency and refuse vehicles around this junction It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.

1.3 Restrictions as detailed on plan I19.

Roads affected: Combe Road Close

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are withdrawn as the Council received 5 objections to the implementation of these restrictions and only 1 comment of support. As on-street parking stock is limited in this area and due to the lack of local support

on this small cul-de sac it is recommended that these restrictions are not implemented at this time.

1.4 Restrictions as detailed on plan J18.

Roads affected: Church Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received 1 objection and 1 comment of support to the implementation of these restrictions. These proposals were requested by the local councillor to improve manoeuvrability for vehicles within the turning head at the end of Church Road by upgrading the existing advisory white keep clear markings into enforceable No Waiting At Any Time markings.

1.5 Restrictions as detailed on plan J17.

Roads affected: Claverton Down Road

Restriction: Proposed No Stopping on School Entrance Markings, Mon – Fri, 8am – 6pm

Recommendation: That the proposals are implemented as the Council received no objections and 1 comment of support in part to the implementation of these restrictions. These proposals were requested by the local councillor to improve accessibility and visibility when entering and exiting the school grounds onto the busy Claverton Down Road.

1.6 Restrictions as detailed on plan I12.

Roads affected: Pulteney Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions and these proposals were requested by the local councillor to improve visibility on this section of highway.

1.7 Restrictions as detailed on plan J11.

Roads affected: Bathwick Hill

Restriction: Proposed extension of Residents Parking Zone A, Mon - Sat, 8am – 6pm and 4 hours Limited Parking No Return within 1 hour.

Recommendation: That the proposals are withdrawn. The Council received 3 objections, 2 comments of support and 2 comments of support in part. After a full consultation process in excess of 50% of the total number of residents of the streets directly affected must be in favour of the proposals to ensure a clear majority are in favour due to the restrictive and fiscal impact of a scheme. Therefore as the Council did not receive an over whelming majority in favour, it is recommended that Resident Parking Zone A is not extended at this time. It is also recommended that the 4 hour limited waiting restriction is not implemented as without the Resident Parking element this would have a direct impact on local residents.

1.8 Restrictions as detailed on plan K17, M17, M16, and L17.

Roads affected: Claverton Down Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented as the Council received no objections to the implementation of these restrictions and 1 comment of support and 2 comments of support in part. The managers of open access countryside wanted it noted that they do feel the restrictions will create an issue for local residents and the general public who wish to access the Claverton Down countryside. These proposals however were requested by the local councillor and our Traffic & Safety Engineer. It is therefore recommended that these proposed restrictions are implemented.

1.9 Restrictions as detailed on plan H14.

Roads affected: Lyncombe Hill

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are implemented. The Council received 5 objections to the implementation of these restrictions, however these proposals have been approved by the Local Councillor and the area Traffic & Safety Engineer. A proposal was put forward in a previous TRO to remove the whole parking bay (2 cars length). It was considered that parking in this location does act as a traffic calming measure and it was therefore recommended by the Safety Engineer that at least one space should remain. The new proposals were drafted recommending the removal of one space only. As parking in this location obstructs the safe access of vehicles to and from the adjacent property, it is recommended that the proposal to remove one Resident Parking space and replacement with No Waiting At Any Time markings is implemented.

1.10 Restrictions as detailed on plan E19 and F19

Roads affected: Kempthorne Lane

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are withdrawn as the Council received 16 objections to the implementation of these restrictions and 1 comment of support in part. A number of the comments received said that the restrictions did not go far enough to tackle obstruction and access issues. There were also concerns that parking would migrate into Clara Cross Lane and that any proposals should consider this section of the highway too. It is therefore recommended that these proposals are withdrawn at this time and that new proposals and further consultation with residents is carried out.

Lead officer: Kris Gardom