

BATH AND NORTH EAST SOMERSET

PLANNING, HOUSING AND ECONOMIC DEVELOPMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 5th September, 2017

Present:- Councillors Will Sandry (Chair), Barry Macrae (Vice-Chair), Colin Blackburn, Lisa O'Brien, Fiona Darey and David Veale

Also in attendance: Graham Sabourn (Head of Housing), John Wilkinson (Divisional Director - Community Regeneration), Lisa Bartlett (Divisional Director, Development) and Chris Mordaunt (Team Manager - Standards & Improvement)

Cabinet Member for Development: Councillor Bob Goodman

Cabinet Member for Economic and Community Regeneration: Councillor Paul Myers

13 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

14 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

16 DECLARATIONS OF INTEREST

There were none.

17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Nicholas Tobin, Vice-Chairman, FoBRA and Luke Emmett had registered to make statements regarding agenda item 10 and would do so when the item was reached on the agenda.

19 MINUTES - 4TH JULY 2017

Councillor Lisa O'Brien notified the Democratic Services Officer of an error on page three in relation to the Cabinet Member Update. She stated that it was Aster, not Asra who were involved in providing independent living flats in Fosseway and Midsomer Norton.

With that amendment in mind the Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

20 CABINET MEMBER UPDATE

Councillor Bob Goodman, Cabinet Member for Development addressed the Panel, a summary of his update is set out below.

HMOs

He announced that a Revised Houses in Multiple Occupation SPD Consultation had just begun and would run from 4th September – 13th October 2017. He added that the deadline had been set to capture the responses of local students and he confirmed that the Student Union was engaged in the process.

Article 4 Direction – Offices to Residential Use

He informed the Panel that the Council were considering implementing an Article 4 Direction to address the implications of the removal of permitted development rights on the conversion of offices to residential uses in Bath. He explained that this proposal would be subject to a 12 month consultation period.

Joint Spatial Plan

He stated that the Joint Spatial Plan would be on the agenda for the Council at its meeting on November 9th and would contain details of the proposed housing numbers across the four Local Authorities including affordable housing. He said that he felt that all political groups should be briefed by officers about the Plan prior to the Council meeting.

Foxhill

He informed the Panel that the decision made by the Development Management Committee had not yet been called in by the Secretary of State.

Councillor Colin Blackburn asked regarding the proposed Article 4 Direction if there would be an identified trigger point within the 12 months of consultation whereby it would be implemented sooner.

Councillor Bob Goodman replied that within the next month he hoped to be provided with the likely number of conversions from officers, at which point he would discuss with them the actions required.

Councillor Paul Myers, Cabinet Member for Economic and Community Regeneration addressed the Panel, a summary of his update is set out below.

Homelessness Reduction Act

He informed the Panel that the Act will give new duties to local authorities to prevent homelessness and that it was likely to commence in April 2018. He added that the Act would represent a shift in focus to early intervention, and aim to encourage local housing authorities to act quickly and proactively. He said that guidance from Government was expected in Spring 2018.

He stated the Council's annual rough sleep estimate would be carried out soon.

Local Shops Action Plan

He explained that the Council has commenced with a project to produce a new Local Shops Action Plan aimed at supporting local traders in shopping districts, town centres and high streets across the area. He said that the Council will seek to produce the new Action Plan in consultation with local business groups, bringing together a range measures aimed at supporting and promoting the area's shops and traders and boosting footfall on local high streets.

He stated that the new Action Plan aims to cover all the key shopping districts in Bath & North East Somerset, from Bath city centre, to local high streets and town centres across the district.

Housing Infrastructure Fund

He informed the Panel that the Council have made a bid for a share of a £2.3 billion Housing Infrastructure Fund, which the government hopes will unlock 100,000 new homes in areas of high demand.

Broadband

He announced that businesses, schools and hospitals in Bath & North East Somerset are to benefit from major investment in the fastest Broadband yet in the UK. He explained that the authority, jointly with Bristol, is one of six areas chosen to pilot the first stage of a £200 million scheme aimed at supporting new industries, creating jobs and stimulating investment in the local economy. He said it will also allow firms to reach more customers online by delivering superfast speeds of 1 Gigabit, or 1,000 Mb/second.

Councillor Lisa O'Brien asked if any further information could be given on the Homelessness Reduction Act.

The Head of Housing replied that details of the Act were not clear yet as they were awaiting guidance. He said there are some initial concerns that people will move more between Local Authorities. He added that officers were working with neighbouring LA's in advance of the Act being implemented and said that Homesearch remains in place for people seeking permanent accommodation.

Councillor Barry Macrae asked which Local Authority pays for temporary accommodation. He urged the Cabinet Member to become active in this respect and recognise the needs of our residents.

The Head of Housing replied that the Local Authority that provides the temporary accommodation are the ones that have to pay for it. He added that officers would aim to put Personal Support Plans in place as soon as possible to avoid the use of temporary accommodation. He said that the Council previously through Housing Benefit were able to recover around 98% of the costs, but that through the advent of Universal Credit this figure had reduced to around a third.

Councillor Barry Macrae commented that he welcomed the Local Shops Action Plan as it was an important issue for the whole of B&NES.

The Chairman thanked the Cabinet Members for their updates on behalf of the Panel.

21 PRIVATE RENTED SECTOR (INC HMO) ENFORCEMENT

The Team Manager for Standards & Improvement introduced this to the Panel. He stated that a number of revisions are proposed to take account of policy updates and changes to legislation following a recent review of the existing policy, these include:

- Financial Penalties for some offences covered by the Housing Act 2004;
- A clarification of the circumstances when a criminal prosecution will be recommended for non-compliance with Housing law.

He explained that the policy refers to the new sanction of a financial penalty, which is to be considered as an alternative to prosecution for some Housing Act 2004 offences. He said that a financial penalty may typically be appropriate for offences where the offender has not co-operated with the Council or where there is a serious or flagrant breach of the law and a significant financial penalty is the most effective and appropriate sanction. He added that the penalty must be used as an alternative to prosecution and therefore the same level of proof of evidence is required and should be in the public interest.

He stated that the penalty can range from £50 to £30,000 depending on the severity of the offence and is issued by the Council direct to the offender. An appeal to the First Tier Tribunal is available on the justification and amount of penalty.

He informed the Panel that the scope of mandatory HMO licensing is expected to expand later this year to include all HMOs with 5 or more occupants, which could increase the number in B&NES significantly. He added that an investigation is also under way to determine whether there is still a case for Additional HMO Licensing going forward and that this would be the subject of a further report in the near future.

Councillor Colin Blackburn asked if following the review would the status of offences that would have previously received a 'Simple Caution' change.

The Team Manager for Standards & Improvement replied that similar offences now could be considered to incur a financial penalty.

Councillor Colin Blackburn asked what impact the changes will have on the department.

The Team Manager for Standards & Improvement replied that the increase in mandatory licensing and potential additional licensing increase would obviously impact the department greatly with the likelihood of 3,000 HMOs being identified within Bath (City).

Councillor Lisa O'Brien commented that it would appear in the best interest of the Council to seek financial penalties rather than prosecution as it does not receive directly any fine imposed following prosecution. She asked how the Council would be able to show impartiality in making their decisions. She said that the financial penalties should also have teeth to act as a real deterrent.

The Team Manager for Standards & Improvement replied that a public consultation on these policies with landlords, letting agents and other local authorities is proposed. He added that the fine would be dependent on the offence and that there was the right to an appeal.

He said that a Leadership Team would assess the evidence gathered and decide on the action to take. He added that the evidence would also be shared with the Head of Housing and the Legal Services Team.

Councillor Fiona Darey asked if timescales were agreed to implement any improvements to the properties.

The Team Manager for Standards & Improvement replied that timescales are agreed with the landlord, but that these become more rigorous for those that are consistent in non-compliance.

Councillor Barry Macrae commented that he wished to see the Planning and Housing departments working together on this issue.

The Divisional Director for Development assured the Panel that although the departments work to separate legislation officers do work together.

The Chairman commented that he was pleased to see that through additional licensing that 875 homes had been improved. He asked if a figure could be put on the mandatory HMO licensed properties when taking into account those with 5 or more occupants.

The Team Manager for Standards & Improvement replied that it would be around 1,000.

The Chairman thanked the Panel for their comments and summarised that they largely welcomed the report and its attached draft policies. He said that during

debate they had raised the matters of meaningful fines and timescales for implementing improvements.

22 DESTINATION MANAGEMENT PLAN

Jim Oribine, Visit Bath introduced this item to the Panel by giving them a presentation. A copy of the presentation can be found on the Minute Book and as an online appendix to these minutes, a summary of the presentation is set out below.

A Destination Management Plan (DMP) for Bath and North East Somerset (2017 – 2022)

The DMP is a roadmap for stakeholders in tourism in Bath and North East Somerset

It marshals the evidence, considers the issues and seeks to provide a robust, realistic and forward looking plan in a succinct and clear document which partners can endorse.

Methodology

- Process managed by Bath Tourism Plus on behalf of B&NES.
- Steering Group comprising representatives from the public sector and private sector businesses.

Consultation & Research

- Wide consultation with individuals, sector groups, and B&NES councillors
- An enterprise survey with local tourism businesses
- Site visits to observe key facilities and services in the city and the surrounding area

Evidence Base

- The performance and economic impact of tourism in Bath and North East Somerset, including visitor profiles
- Competitor analysis
- The policy context for tourism – locally, regionally and nationally

Significance of the visitor economy

- An estimated 9,358 people employed in tourism across B&NES, around 10% of total employment
- The total annual expenditure associated with tourism trips to the B&NES area is £436.09m
- 6.2% average annual increase in direct spend by domestic staying visitors in recent years

DMP Proposition

- An overarching Vision for the destination
- 5 Aims for tourism development in Bath & North East Somerset
- 5 Strategic Objectives as a framework for action
- A series of Priorities for Action

The Vision

“Bath fully delivers on its potential as an iconic visitor destination on the international stage; a vibrant 21st century spa and wellbeing resort that capitalises on the city’s cultural heritage, World Heritage Site status and its connections with the surrounding rural landscape.”

Aims

- To strengthen the local economy and spread prosperity throughout Bath and North East Somerset by growing the year-round value of tourism in a sustainable manner
- To strengthen the appreciation and conservation of Bath as a World Heritage Site together with the area’s wider historic, cultural and natural assets
- To foster and sustain distinctive high quality local businesses
- To enhance the quality of life of local residents, through improved facilities, services, environment and experiences
- To provide visitors with a high quality and fulfilling experience, encouraging longer stays and more return visits

Target Visitor Markets

- Domestic short breakers – with an emphasis on Sundays -Thursdays when there is capacity in all parts of the sector
- Overseas visitors – with an emphasis on European markets France and Germany, and long-haul USA
- Day visitors – from home & on holiday elsewhere, eg London
- Family market - wanting a rural holiday with family-friendly attractions, events and activities and/or to visit Bath
- Local residents and those visiting friends and relatives
- Business tourism

Strategic Objectives

- Compelling promotion: To present Bath and the rest of North East Somerset, its distinctive assets and facilities, as an internationally renowned, must-explore destination to the identified target markets.
- Connectivity and dispersal: To improve access to and within the city and surrounding rural areas, facilitating orientation and exploration.
- Celebrated heritage: To conserve, enhance and celebrate the outstanding heritage, ambience and setting of the city and local market towns and villages.

- Diversified product: To enhance the range, quality and appeal of the product offer across the destination.
- Effective partnership: To ensure that all stakeholders are working in partnership and secure support for the delivery of the strategy.

Further Consultation

- Residents groups FoBRA, TARA
- 3600 residents of Bath & North East Somerset, using B&NES annual resident Voicebox Survey
- Town councils
- Members of BTP and Bath Bid, and local Chambers of Commerce – Bath, Keynsham & Somer Valley

Nicholas Tobin, Vice-Chairman, FoBRA addressed the Panel. A copy of his statement can be found on the Minute Book and as an online appendix to these minutes, a summary is set out below.

We were concerned to note that no Bath Councillors formed part of the Strategy Group that developed the draft Plan. Had they been, city residents' interests would have been served, but they were not.

As one of the most important stakeholders in Bath, FoBRA should have been a member of the strategy group from the start and, albeit belatedly, we now welcome the invitation to participate in the further formulation of the plan.

There should be more explicit recognition of the importance for the character of the city of retaining a vibrant residential population in central Bath, as set out in the Placemaking Plan. Residents are mentioned at various points, but not as a critical element in the equation, which they are.

There should be a proper discussion of what 'sustainable development' means. There are references at various points to negative impacts of tourism, there is even recognition of a threat from a negative reaction by residents to tourism. These thoughts are brought together to a degree, but this should be developed fully as a major policy element – when is enough enough?

While the Plan recognises that Bath has a serious traffic problem which affects visitors and a poor public realm, this should be developed into a call for urgent implementation of the Transport Strategy and the Public Realm & Movement Strategy.

Coaches are a major contributor to congestion, pollution and general loss of amenity and the Plan refers to a separate coach parking strategy, but this currently seems to be based on the premise that the city should basically accommodate whatever the coach operators want. Instead, we should ask tough questions like: do we actually want to encourage coaches that only stay for less than 3 hours, which comprise two-thirds of the total?

Some good actions are tabled, but the final one must include local residents amongst 'key stakeholders' – after all, do we not own most of the World Heritage Site Key Features, and does its appearance not depend largely on residents maintaining their properties at their own cost.

Communication with local residents is essential, but this must be a 2-way process.

The Chairman thanked Nicholas Tobin for his statement on behalf of the Panel.

Councillor Fiona Darey asked if he had any further comments to make regarding what FoBRA feel would recognise as sustainable development.

Patrick Rotheram replied on behalf FoBRA by drawing the Panel's attention to 5.4.4 of the Plan which stated that 500 new hotel bedrooms in the City will open soon. He said that no extra parking facility had been identified and questioned how long it would be before the City became empty of residents.

Councillor Barry Macrae queried how many FoBRA members had family employed in tourism and felt that the overall numbers relating to tourism employment in the presentation were underestimated. He added that the Council were endeavouring to grow the economy of the City and that the benefit to residents of tourism is vast.

Nicholas Tobin replied that he did not have any information regarding the employment of FoBRA family members and that he does recognise the importance of tourism.

Councillor Lisa O'Brien commented that she shared some of the concerns raised in relation to public engagement and the role of coaches within the City. She called for the Plan to be taken forward robustly and suggested a focus be given on promotion of the Spa, Bath Rugby and our hinterland.

Luke Emmett addressed the Panel. A copy of his statement can be found on the Minute Book and as an online appendix to these minutes, a summary is set out below.

On the whole I think the Plan does make a lot of sense but perhaps requires a little more thinking about the future vision of Bath (and how it may change because of technology and lifestyle changes etc) and could be bolder and more ambitious.

1.2 - Methodology - I'm not aware of any of the smaller artistic cultural orgs being consulted on this Plan. I think, if it is really to show a snapshot of Bath and the cultural offer here then there should be consultation and involvement from them which has been lacking in the past with the focus being primarily on the bigger orgs.

2.3.4 - Why are these events and festivals not achieving this? I would argue that it is because the visibility of them in Bath is restricted because of issues around the displaying of posters and banners etc throughout the city. When a festival is on in Bath, as a tourist you currently would not know this. There are easy ways to rectify this - using Edinburgh Fringe as example - they allow the promotion of the festival across the city. Simple things like triangular Periaktoi created using corrugated

material with posters printed on and then stood around lamp posts can make a huge difference. The fringe festival in Bath used to have pyramids that advertised the festival across the city. If we really want to promote culture as a tourist option then you have to find ways to make the events visible across the whole city. Bath is currently failing to do this.

One other solution - there are lots of empty shops in Bath. Theatre companies and arts organisations take advantage of this (with the support of the Council) and fill shop windows with show posters, photos, information etc. Why could this idea not be rolled out across the City to support all cultural tourism? That way it would increase visibility of events and attractions and would also go some way in disguising the fact that there are so many empty shops. If we can find a way to utilise the spaces that we have it can only be of benefit to the City as a whole.

A single information website. This has been discussed for some time but nothing has ever really materialised. We desperately need one single point of information in Bath and I believe that should be the VisitBath website and app. I worked for Wiltshire Arts Promoters and helped them launch the Wiltshire Loves Arts website which is directly linked to the VisitWiltshire website. On the backend of the site there is an application you can enable which allows users to upload their own events and content. I would also like to see links from this site to the other listings, venues and bloggers sites about Bath. This would give visitors a greater choice, help local events and venues market themselves and highlight Bath as a cultural city.

Bath as a brand - needs to focus more on Bath in 10 years. What will the offer look like then? I understand that a lot of our marketing is based around the Roman Bath's and WHS but Bath should also promote the future and not be stuck in the past. It has much more to offer than just the Roman's - I think this is perhaps where this plan lacks ambition and vision.

Residents as tourists and consumers - should not be over-shadowed by the promotion of facilities like the Roman Bath's etc. It is as important to advertise Bath and it's events to those who live here and spend money here all year around.

Core values: A vibrant, creative and exciting city with a contemporary 21st century vibe - Bath is nowhere near this yet. We do not feel contemporary and we are certainly not exciting. There are pockets which produce this (such as Bath Carnival, Bedlam Fair and Party in the City) but in reality these will become fewer and fewer as the impending arts cuts really hit those organisations producing this work. Investment is needed to help get us anywhere near aligning with this statement.

The Events Strategy and Cultural and Creative Strategy should be key to this plan. However without investment I'm not sure how relevant they will become. It needs proper and meaningful consultation with arts and cultural organisations and also those who are tasked with trying to create the work with no support or funding from the Council.

In three years' time the next round of Arts Council National Portfolio funding will come around. Currently in Bath we have one NPO organisation based in Midsomer

Norton. Bristol have over 20. We should be aiming to get more organisations within the National Portfolio and bringing much needed funding to Bath. What impact could this have on this strategy and also will B&NES be in a position to support those organisations as they will have an impact on tourism within the city?

The Chairman thanked Luke Emmett for his statement on behalf of the Panel.

The Divisional Director for Development informed the Panel that consent is in place for the use of lampposts and banners for advertising. She added that any alterations to shops that were classified as Listed Buildings would require Listed Building Consent and Advertisement Consent would be required to display any adverts.

Councillor Fiona Darey asked if the cost of advertising was a barrier to some organisations.

Luke Emmett replied that the costs were high for smaller organisations. He reiterated his view that a single point of information for events in Bath was required.

Councillor Colin Blackburn commented that he was aware of the use of WhatsApp in another City to notify of events.

Luke Emmett replied that the use of social media would be advantageous to some demographics, but not all.

Jim Oribine stated that section 5.4 of the Plan looks at how to develop an events strategy that establishes the overarching aims and objectives for events and festivals in Bath and North East Somerset. He said that information and data about events would be issued through a majority of channels. He added that he was happy to involve Mr Emmett further as this area of the Plan progressed.

Councillor Colin Blackburn commented that in some cases Bath needs to be highlighted over other local destinations such as Glastonbury Tor and Longleat.

Jim Oribine replied that this was an area they intend to address.

Councillor Fiona Darey said that she had sometimes heard Bath described as beautiful yet dirty.

Jim Oribine replied that he appreciated that this was an important aspect to address.

The Divisional Director for Community Regeneration commented that the work of the DMP must be seen in context and can't resolve all issues. He added that other work streams and strategies are in place to tackle issues such as street cleaning and transport.

Councillor Barry Macrae stated that alongside the need to promote tourism the Council has a responsibility to its residents. He called for web advertising fees to be fair for all organisations and for the City competitors with Bath to be analysed appropriately. He said that he felt that the Plan was heading in the right direction, but said that the worth of the work should be explained to the residents.

The Chairman asked what the timescales were for the Plan and who owned it.

The Divisional Director for Community Regeneration replied that it was to be a five year plan and it would be owned by the Council, Business Improvement District and Bath Tourism Plus.

The Chairman asked if the DMP would be considered by Council or the Cabinet at any point.

The Divisional Director for Community Regeneration replied that the DMP was not a statutory document, but he would be happy to discuss the most appropriate sign off process for the DMP outside the forum of this meeting.

Nicholas Tobin asked the best way in which FoBRA could pass on their more detailed comments regarding the Plan.

Jim Oribine replied that he would arrange to meet with Mr Tobin and discuss the concerns and views that FoBRA have.

The Chairman thanked the members of the public and the Panel for their comments and contributions to the debate.

23 PANEL WORKPLAN

The Chairman introduced this item to the Panel. He informed them that he had been contacted by the Group Manager for Policy & Environment to ask if the Panel wished to receive a report on either the West of England Joint Spatial Plan or B&NES Local Plan Options consultation at their November meeting.

The Panel discussed this proposal and decided that they would like to have a report on the B&NES Local Plan Options consultation and allow for any comments they may have on the West of England Joint Spatial Plan to be raised at Council on November 9th.

Councillor Barry Macrae requested that the Panel receive a report regarding the status of the Somer Valley Enterprise Zone.

Councillor Colin Blackburn requested that the Panel receive a report regarding Broadband Provision.

Councillor Lisa O'Brien asked if the Panel could receive an update regarding Foxhill.

Councillor Colin Blackburn asked if the Panel could receive two briefing notes, one relating to the Additional Licensing Scheme for HMOs and one in relation to the issue of Party Houses.

The Panel **RESOLVED** to approve all of these proposals.

The meeting ended at 4.40 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services