

## **CABINET MEETING 27<sup>th</sup> June 2018**

### **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.

Councillors:

1. Councillor Tim Ball – Grass cutting of parks and gardens
2. Councillor Paul Crossley - Grass cutting of parks and gardens

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Robin Moss
<p>When agreeing new contractual arrangements for the Community Resource Centres and the care element of the Extra Care Housing Service with Sirona following the transfer of services to Virgin Care, please could the Cabinet member advise:</p> <p>a) Who made the decision regarding the new contract;</p> <p>b) How was the new contract scrutinised; and</p> <p>c) How were the risks assessed?</p>		
<b>Answer from:</b>		Councillor Vic Pritchard
<p><i>The new service model and associated capital investment was the subject of a Full Business Case and a Single Member decision that was registered on 20 February 2017. Contracting arrangements sat under the umbrella of the Your Care, Your Way Community Services Review and associated re-commissioning process with advice from subject matter experts including legal, financial and procurement. Contract negotiations and agreement of terms were undertaken under delegation by officers. The financial sum was agreed between Sirona and the Council, following extensive discussions about the specification for the service and scrutiny into the budgets and costs provided by Sirona.</i></p> <p><i>The Council believes, having undertaken its own due diligence, that the current contract sum is the right level of funding to run the services, but understands that a number of changes have to be made to enable Sirona to live within the contract amount and continue to provide safe, good quality services.</i></p> <p><i>A key proposal from Sirona to meet the contract value was to restructure the management of the services and to reduce corporate overheads, together with consulting on bringing the remaining staff in Sirona on paid breaks in line with the rest of the care industry. The risks were assessed in terms of impact of these proposals on the quality of care and safety of residents, comparison with overheads delivered by other organisations and comparable terms offered by other care providers in B&amp;NES.</i></p>		
<b>Supplementary Question:</b>		
<p><i>You responded in paragraph 3 that ‘The Council believes, having undertaken its own due diligence, that the current contract sum is the right level of funding to run the services, but understands that a number of changes have to be made to enable Sirona to live within the contract amount and continue to provide safe, good quality services.’</i></p> <p>Please could you explain this contradiction?</p>		
<b>Answer from:</b>		Councillor Vic Pritchard

*I will provide an answer in 5 working days.*

<b>M 02</b>	<b>Question from:</b>	Councillor Robin Moss
-------------	-----------------------	-----------------------

The current dispute between care workers and Sirona is affecting a service paid for by B&NES Council provided in B&NES buildings for B&NES residents. What is the Cabinet member doing to ensure that the dispute is resolved as a matter of urgency?

<b>Answer from:</b>	Councillor Vic Pritchard
---------------------	--------------------------

*Senior Managers have met with Sirona to discuss the dispute. Senior Managers and the Leader of the Council have also met with Sirona and Unison to discuss the current dispute. As part of that discussion, the Council clarified its position. The Council has received assurances from Sirona regarding contingency plans to ensure continuity of care during this period.*

<b>M 03</b>	<b>Question from:</b>	Councillor Robin Moss
-------------	-----------------------	-----------------------

Does the Cabinet member not agree that care workers are amongst the poorest paid people in Bath and North East Somerset, doing some of the most important work with our most vulnerable residents and that is it wrong to expect them to take a pay cut?

<b>Answer from:</b>	Councillor Vic Pritchard
---------------------	--------------------------

*Whilst the Council does value and have an interest in the welfare and conditions of staff working for our commissioned providers, any employment dispute is for staff and their representatives to resolve with the employer.*

<b>M 04</b>	<b>Question from:</b>	Councillor Robin Moss
-------------	-----------------------	-----------------------

Is the Cabinet member aware that the dispute between Sirona and care workers could be resolved at a cost of £170K per annum?

<b>Answer from:</b>	Councillor Vic Pritchard
---------------------	--------------------------

*This is not a figure recognised by the Council – it is a figure that is being quoted to the Council. The Council is itself managing the impact of reductions in government funding for its own services, including losing 300 full time equivalent posts and reducing services. The Council is not, therefore, in a position to supplement the Sirona contract for residential services, but remains committed to their ongoing improvement and development; for this reason the Council has invested £700,000 in upgrading the buildings and has provided some transitional support to allow Sirona to move from residential to nursing home provision.*

<b>Supplementary Question:</b>
--------------------------------

Can you share what contingency planning is in place if there is a failure by a residential care provider in this 'fragile market' and what contingency the Council has to pick up the pieces?

<b>Answer from:</b>		Councillor Vic Pritchard
<i>I will provide an answer in 5 working days.</i>		
<b>M 05</b>	<b>Question from:</b>	Councillor Eleanor Jackson
Is the cabinet aware that these hard working underpaid Sirona employees are likely to migrate in droves to other organisations who will pay them the rates they deserve, especially after Brexit?		
<b>Answer from:</b>		Councillor Vic Pritchard
<i>Sirona has confirmed the position in relation to the recruitment and retention of staff as follows:</i> <i>‘There are very few staff in our Residential Division on the minimum wage – less than 15; the majority work weekends, evenings or nights and therefore receive enhanced pay.</i> <i>Enhanced pay within Sirona is significantly above market average, particularly for those working at night who receive 50 per cent enhancement to their basic hourly rate.</i> <i>We offer a pay scale with annual increments which, providing performance is satisfactory, ensures no one would remain on the basic rate for more than a year.</i> <i>Staff also receives more annual leave, better sick pay and pension terms than elsewhere within the sector.’</i>		
<b>M 06</b>	<b>Question from:</b>	Councillor Dine Romero
Within the Highways department, how many permanent members of staff are employed by B&NES, how many roles are vacant and how many roles are being filled by consultants or agency workers? What is the cost of consultants and agency workers in the Highways department?		
<b>Answer from:</b>		Councillor Mark Shelford
<i>The Council has 91.4 FTEs in the Highways Team. 21 posts are currently vacant, with only 2 posts being covered by Agency Staff. During the last financial year (2017/18) the team employed consultants and agency staff costing £478K in order to deliver the works programme and fulfil statutory obligations</i>		
<b>M 07</b>	<b>Question from:</b>	Councillor Neil Butters
Further to the publication of the tram feasibility study, which saw no showstoppers, what steps are being taken by the Cabinet Member for Transport to move to the next stage? What timescale does he have in mind?		
<b>Answer from:</b>		Councillor Mark Shelford
<i>The report concluded that there were no show stoppers to taking the project to the next steps. The Consultants were not commissioned to undertake any form of business case, mode of transport assessment or viability testing.</i>		

*The Council's approved budget doesn't contain any provision for further work and given that a mass transit solution may need to serve a wider area to be viable I am proposing to progress the project with the West Of England Combined Authority. Therefore the next steps are to seek support from WECA to include a study of a mass transit scheme for B&NES, linking with work being undertaken in Bristol. In addition to working with WECA I am supportive of retaining UKTram as the independent, Government approved experts to advise officers and members on the project. The timescales for the work will need to be discussed and agreed through the WECA governance.*

#### **Supplementary Question:**

I am aware that there is mass transit study in Bristol supported by WECA. I was reported that the study would finish next month though now I understand that the work would not finish until December. It is not clear when WECA would be informed on the outcomes of the study.  
It looks to me that there is an opportunity for us to get involved in that project and save a bit of money?

#### **Answer from:**

Councillor Mark Shelford

*We are looking at all of these options, and the CTE PDS Panel would debate the tram aspect and then ask WECA to support our own bit of work. So far, the background work has been supported by WECA..*

**M 08**

#### **Question from:**

Councillor Neil Butters

How is he liaising with Bristol City Council, the WECA Mayor and Bristol Airport with regard to this issue - to ensure joined-up thinking?

#### **Answer from:**

Councillor Mark Shelford

*I will be discussing this directly with Mayor Bowles of WECA. However, officers of B&NES already attend the officer working group for mass transit and the B&NES officer attending the Heads of Transport meetings is also investigating the best options to ensure a mass- transit solution is progressed collaboratively. I am confident that the work of officers along with my discussions with the Mayor will ensure effective joined up thinking that identifies the best potential mass-transit solution.*

**M 09**

#### **Question from:**

Councillor Neil Butters

The CTE Panel's Trams Working Group is currently suspended, after just one meeting. When will this be revived?

#### **Answer from:**

Councillor Mark Shelford

*I am supportive of a working group for this project, especially supported by UK Tram and believe the Working Group will add genuine value to the project. As indicated in my*

*answer to Q7 and Q8 there is already work in progress to take mass transit forward. I am committed to supporting Cllr Bull's working group and my officers have been asked to seek Cllr Bull's agreement to convene a further group to review the progress being made with WECA. As the project moves forward, I anticipate that the PDS Panel's working group will meet at a regular frequency to support the mass transit project and monitor progress being made on this important project.*

<b>M 10</b>	<b>Question from:</b>	Councillor Alison Millar
-------------	-----------------------	--------------------------

Can the Council reconsider its decision to allow Network Rail to take advantage of a planning loophole and use land at the end of Tynning Road in Bathampton as a depot? This decision has such serious implications for local residents and in particular for the pupils of Bathampton School, as it will mean large items of plant equipment travelling up and down on the road right outside the school. Would the Council perhaps consider using funds made available to it by local residents in Bathampton to pursue a case against Network Rail and ensure that this land is returned to its former state as part of Bathampton Meadows?

<b>Answer from:</b>	Councillor Mark Shelford
---------------------	--------------------------

*The Council has carefully reviewed the evidence and following receipt of legal advice considers the works carried out by Network Rail are within the powers granted by the General Permitted Development Order, 2015.*

*Network Rail can use the land under their permitted development rights and they do not require planning permission for the work carried out. The Council cannot require them to stop using the land or remove the hard-core that has been laid. Equally, as the Council cannot control works or land use that are permitted development we cannot control the vehicle movements to and from the site. In the circumstances, the Council does not consider it appropriate to reconsider its decision.*

<b>M 11</b>	<b>Question from:</b>	Councillor Dine Romero
-------------	-----------------------	------------------------

Does the Council employ any agency workers on zero hours contracts, either directly or indirectly via commissioning?

<b>Answer from:</b>	Councillor Charles Gerrish
---------------------	----------------------------

*The Council uses a neutral vendor contract to supply agency workers to the Council. We monitor the contract closely to ensure workers' rights are protected in terms of the Agency Worker Directive supported by regular audits of individual agencies by Comensura (our neutral vendor).*

*Clearly it is very difficult to control suppliers in terms of their practices with relation to their own supply chains. As part of our review of tender documents we are developing a draft code of conduct and will include a clear steer to contractors regarding our expectations for their employees' conditions.*

*The Council does have casual staff who are on technically "zero hours" contracts with Heritage Services. This allows maximum flexibility and cost effectiveness when dealing*

*with large and complicated 7 day per week rotas throughout seasons whose demands on staff vary considerably.*

*It is important to note that these are not the kind of casual contracts that have attracted so much adverse publicity. They are all a casual version of an existing Council job and Job Description and which may also be available as a seasonal post. It is important to note:*

- All three versions of the same job i.e. permanent, seasonal and casual are paid at the same grade, we do not pay casual staff any less.*
- We do not insist that casual staff are always available to be called upon.*
- We do not forbid them from having other jobs.*
- We do not remove their contracts if for any reason they turn down the invitation to work.*

#### **Supplementary Question:**

I am aware of staff, that are on zero hours contracts, who have been employed by the Council, or its partners, for a number of years. What rules are around long term employment of the staff on zero hours contract when they become more regular full time employee?

**Answer from:**

Councillor Tim Warren on behalf of Councillor Charles Gerrish

*An answer will be provided in 5 working days.*

**M 12**

**Question from:**

Councillor Tim Ball

What action has been taken to resolve the pay dispute between care workers and Sirona, which has resulted in strike action being taken?

**Answer from:**

Councillor Vic Pritchard

*There was a meeting on Friday 15 June between senior representatives of the Council and Sirona and Unison representatives to discuss the current dispute. As part of that discussion, the Council did clarify its position, which is summarised below.*

*Bath & North East Somerset Council understands that Sirona needs to make savings to ensure that people continue to have their care needs met.*

*Whilst the Council has not reduced the funding it has specifically allocated for these services, the Council recognises that the funding available to Sirona to run residential services is less because the size of their overall contract in Bath and North East Somerset has reduced; meaning they have less overall flexibility to absorb cost pressures.*

*The Council is itself managing the impact of reductions in government funding for its own services, including losing 300 full time equivalent posts and reducing services. The*

*Council is not, therefore, in a position to supplement the Sirona contract for residential services, but remains committed to their on-going improvement and development; for this reason the Council has invested £700,000 in upgrading the buildings and has provided some transitional support to allow Sirona to move from residential to nursing home provision.*

*The Council has undertaken its own due diligence with Sirona and believes that the current contract sum is the right level of funding to run the services, but understands that a number of changes have to be made to enable Sirona to live within the contract amount and continue to provide safe, good quality services. These changes include reducing overheads and the contractual change which will achieve greater consistency of the Terms and Conditions of some members of staff with the wider care sector. It is this change that is the subject of the current dispute.*

*The Council recognises the difficult decisions being made and their impact on staff but supports the need to reduce the cost of provision to continue to provide the service within available resources.*

**Supplementary Question:**

£170k is needed to resolve the dispute. Will the Council find this money or leave the staff on its own?

**Answer from:**

Councillor Vic Pritchard

*You will be aware that implications of finding £170k would result in 7 to 8 job losses within the Council. It would also open the floodgates to any other claim in future. It is a dispute between Sirona and its staff that we cannot get involved directly.*

**M 13**

**Question from:**

Councillor Will Sandry

What are the costs to the council for commissioning and maintaining the wellbeing options website: <http://www.wellbeingoptions.co.uk> ?

**Answer from:**

Councillor Vic Pritchard

*The cost to create Wellbeing Options was £13,200 (inclusive of VAT). Prior to setting up Wellbeing Options, the Council had commissioned The Care Forum in Bristol to manage Well Aware. This was a shared site with Bristol City Council and South Gloucestershire Council and our contribution was £36,000 annually. This was not felt to represent value for money, hence a replacement being sought.*

*There is an annual fee of £1,200 + VAT for web hosting the site on an ongoing basis.*

*An Information Officer (Care Act) is employed by the Council to maintain the site. Their role, which currently sits within the People & Communities Communication team is to ensure the site is kept up-to-date with organisations, activities, events and resources added and updated; a calendar of events maintained; promotion of the site to relevant stakeholders and review analytics of the site and its accompanying Facebook page.*



*There is a budget of £27,476 to cover this role and the management of the role.*

<b>M 14</b>	<b>Question from:</b>	Councillor Will Sandry
-------------	-----------------------	------------------------

Will this website be maintained over the course of the contract with Virgin Care or will it be changed to something else?

<b>Answer from:</b>	Councillor Vic Pritchard
---------------------	--------------------------

*I am not aware of any plans to change the website during the course of the contract with Virgin Care but all services may be subject to change and modernisation over the course of a contract.*

<b>M 15</b>	<b>Question from:</b>	Councillor Andrew Furse
-------------	-----------------------	-------------------------

Large-scale events in Royal Victoria Park

Private events held in Royal Victoria Park are having a negative impact on park users and local residents. Access routes are being blocked and late night noise from live music is keeping people awake – including schoolchildren preparing for exams. Residents are concerned that the Council is prioritising income-generating events over the needs of local residents.

1. Can the Cabinet member list events undertaken and planned for 2018?
2. Can the Cabinet member detail income received and expected for 2018 with comparisons to 2017 and 2016?
3. Will the Cabinet member ensure that on-site sound monitoring will be carried out and that the out of hours telephone number will be attended during future events?
4. What will the Cabinet member do to improve communication and signage when areas of the park are cordoned off for private bookings?
5. What complaints have been received regarding recent events?

What work is being done to assess the impact on the local economy, either positive or negative, such as diverting potential customers from our own pubs?

<b>Answer from:</b>	Councillor Bob Goodman
---------------------	------------------------

**1.** *Please see attached spreadsheet*

**2**      *2016/17 – £58,437*  
          *2017/18 – £118,219*  
          *2018/19 – currently forecasting £105,876*

**3.** A political decision was taken to cease the reactive Environmental Health out of hours noise service in 2008/09.

However, there are still ways for people to contact Environmental Health if they are concerned about noise:

- If they have access to a telephone, they can contact the Council's Out of hours call centre team, and they will take the details and pass them onto the Environmental Protection Team for the next working day.

- If they have access to a smartphone or the internet, they can download the Noise App, and this allows them to report that directly to the team including the facility to take a recording of the noise at the time - which can then be accessed to the team.

- For ongoing cases (possibly similar to the 'party houses'), we have several pieces of specialist noise recording equipment that an officer can consider deploying, which are then operated by the complainant. Officers then review recordings made with a view to deciding whether enforcement action is warranted.

- Whilst the reactive out of hours service has been ceased, we still have the option of a proactive out of hours visit. If something is say, a problem for an hour every Friday night at 11.30, then as the intelligence is so specific and reliable, officers may decide to undertake a visit as opposed to deploying the noise recording equipment.

- For short duration events with a higher than usual likelihood of complaints, such as a significant event for example, officers work with the organisers through the Safety Advisory Group for Events process to identify controls and a monitoring response to the event (sound checks etc.) Officers will dynamically decide whether a visit is needed, and this decision is based on the number of complaints received..... zero complaints would not trigger a visit whereas several complaints are more likely to.

Our advice to anyone is to actually contact the out of hours call centre team whilst they are being disturbed. For new cases, this information will be passed to the officer on the next working day and will usually trigger the commencement of an investigation where the person allegedly causing the noise will be notified and asked to be considerate etc. If they are disturbed by a one off short term event, their complaint may be the complaint that triggers an officer visit that night (should it be decided that this is an event which warrants this response).

Event Organisers are asked to produce a Noise Management Plan ahead of their events and based on risk assessment, we can request that an Environmental Protection Officer is on call, with the costs of this borne by the event organiser.

**4.** Event organisers are required to communicate details of their events with residents in the immediate vicinity of the park/open space, or if on the highway, the street affected. Event Organisers do this by contacting the respective Chairs of the

*Residents Associations concerned and by leaflet drops into properties, again in the immediate vicinity.*

**5.** *In relation to Pub in the Park – the Council received 15 complaints*

**6.** *Brand Events have been asked to provide data on the numbers of people attending and their postcode areas. In addition, they worked with our destination management company, Visit Bath, on production of digital content to promote the City to those attending the event and encourage ticket holders to explore the City. The Council is not in a position to carry out Economic Impact Assessments on all of the events which occur across the authority area. As per the Events Policy the Council looks to support events and festivals which can, at their best, be powerful agents of social cohesion, providing opportunities for celebration, pride in a place or locality, participation, and involvement of diverse groups. A varied programme of events contributes to: (a) Economic development (b) Social/cultural regeneration (c) Cultural vibrancy (d) A strong tourism base (e) Cultural and community provision (f) Local priorities which seek to encourage vibrant sustainable communities that are active, lively and inclusive.*

<b>M 16</b>	<b>Question from:</b>	Councillor Andrew Furse
-------------	-----------------------	-------------------------

Hoarding at the Halfords site on Upper Bristol Road.

I have received a number of complaints regarding hoardings (site barriers) at this development. Issues include:

- the installed hoarding is a significant way away from works.
- the area within the hoarding is continually being used for site vehicle parking rather than materials loading etc.
- the temporary pavement was widened on my request but keeps being narrowed.
- no 'no overtaking cyclists' signs have been provided, despite requests.
- the road width is now significantly narrowed.

Why has the Council agreed to accept the contractors request to give them maximum flexibility and site curtilage when the public have to suffer minimum pavement width, the road is now the legal minimum and there is no protection for cyclists?

Following site visits, many Tweets and a large amount of correspondence with the Council, will the Cabinet member act to prioritise public facilities over contractor convenience?

<b>Answer from:</b>	Councillor Mark Shelford
---------------------	--------------------------

*An answer will be provided within 5 clear working days from today.*

<b>M 17</b>	<b>Question from:</b>	Councillor Paul Crossley
-------------	-----------------------	--------------------------

With regard to the suspension of garden waste collections service over the winter:

1. What was the renewal rate for the garden waste scheme following the announcement and how does this compare to previous years?
2. What is the expected saving from dropping the service over the winter and has consideration been given to the potential for increased fly-tipping with attendant costs?
3. Will the Cabinet member consider a monthly service in the winter months as an alternative?

<b>Answer from:</b>	Councillor Bob Goodman
---------------------	------------------------

1. *For 2018 we have 15873 subscribers an increase on the 15109 in the same period in 2017.*
2. *A saving of £35k is expected from introducing the reduced service. Less garden waste is produced during the suspension period, with an average of 240 tonnes per month in winter compared to 650 tonnes collected during peak growing season, and during this period residents can still take their garden waste free of charge to the recycling centres. The risk of increased fly-tipping has been considered, but is not considered to be a significant risk as the majority of residents will dispose of their waste responsibly rather than break the law and carry out fly tipping.*
- 3 *The service could not operate within budget if we were to do so. Staffing and fuel savings would not be achieved. Further savings are allocated for 19/20.*

**Supplementary Question:**

I am glad that risk assessment has been done for this matter compared to a lack of the assessment to fortnightly waste collection. Have you done risk analysis on the impact on vulnerable and elderly people that subscribed to this service, and also on the impact on their neighbours helping with the garden waste over 3 months period?

<b>Answer from:</b>	Councillor Bob Goodman
---------------------	------------------------

*I will provide an answer in 5 working days.*

<b>M 18</b>	<b>Question from:</b>	Councillor Cherry Beath
-------------	-----------------------	-------------------------

Now the results of the Foxhill Masterplan Judicial Review, which went in favour of residents, have been announced and the Council was seen to be at fault in the process, can I request that Cabinet lead a transparent review into the processes, which led up to the committee decision?

Why was the planning meeting of 26 July 2017 filmed apparently 'for training purposes'?

How and when has this film been used, as residents and myself have not been allowed access to the film?

**Answer from:**

Councillor Charles Gerrish

*The Council is currently considering the full judgement carefully and any specific actions that are required arising from this. Council and Cabinet will be fully briefed on these. In the meantime the Council will ensure that equalities impacts are explicitly considered in the planning process, which out of the four challenges made, was the only one that succeeded.*

*At the meeting on 26th July 2017 it was made clear by the Chair and signage that the filming taking place by the Council was for the Council's purposes only and it was not to be broadcast. The meeting was also filmed by a private company and the BBC. The Council does not hold copies of either of these recordings.*

*The Council considers that section 40(2) of the Act is engaged (personal data) and therefore the Council has not broadcast or placed the recording in the public domain.*

**Supplementary Question:**

I note that the original masterplan application by Curo for the Foxhill regeneration was approved by the planning Committee. My question is why the Cabinet did not ensure that officers worked closer with Curo to produce better application that would take into account the points outlined in the Judicial Review decision, and reduce the cost and distress?

**Answer from:**

Councillor Tim Warren on behalf of Councillor Charles Gerrish

*Planning Committee is a non-political so the decision has been made by the whole Committee, not just a single political group.*

*An answer will be provided in 5 working days.*

**M 19**

**Question from:**

Councillor Dine Romero

What steps are being taken to ensure that the recommendations of the "Independent Review of Building Regulations and Fire Safety" (Hackitt report) are implemented in B&NES?

**Answer from:**

Councillor Bob Goodman

*Following the Grenfell tragedy of June 2017 an Independent review of Building Regulations and Fire Safety was commissioned by MHCLG. Its purpose was to investigate the current legislative system in relation to principally fire safety and associated building regulations in buildings and whether the current framework is fit for purpose and make recommendations where improvement could be made. The review*

*has been catalysed by the Grenfell tragedy however its main focus is on the legislative system and whilst there are obvious links to issues from the tragedy the specifics of that are currently part of the ongoing Grenfell Public Enquiry and not part of this published review. The review has been led by Dame Judith Hackitt.*

*The Final Hackitt report – Building a Safer Future was published on 17th May 2018. It is understood that the Govt. will be formally responding to the report before the Summer Commons' recess.*

*In its recommendations the Hackitt Report focuses on residential buildings of ten storeys or more and defines these as Higher Risk Residential Buildings (HRRB).*

*There will be a legal obligation for B&NES as the Local Planning Authority to consult the Joint Consultative Authority (JCA) on any (HRRB) planning application. An HRRB is defined in the report as a residential building which comprises of ten or more stories. This could be extended to include other complex buildings. The JCA will be a virtual regulatory body set up to consist of Local Authority Building Control, the Fire and Rescue Service and the Health & Safety Executive.*

*The Building Control team will be required to align to form part of the (JCA) and follow the statutory framework undertaking the checking and inspecting role at the key gateway points. We already have an established good working relationship with the Fire and Rescue service and to a slightly lesser extent with the HSE and this will only strengthen further through the JCA. For all buildings outside this framework it is assumed will continue under the existing building regulations legislative framework. Skills and competencies will need to be monitored and matched to allow the checking of HRRBs. The Building Control team currently contains sufficiently experienced and competent officers for us to be able to deal with building regulation applications on complex buildings.*

*The report places significant emphasis on the "Dutyholder" which will apply to all developers / owners. Building Control, Property Services and Project Delivery have been in discussions about how to implement the recommendations of the report should they be accepted and all teams are preparing for this. Again it is stressed that B&NES does not currently own any buildings which would come under the report's definition of an HRRB.*

<b>M 20</b>	<b>Question from:</b>	Councillor Caroline Roberts
-------------	-----------------------	-----------------------------

Councillors are still receiving regular complaints from residents about missed waste and recycling collections, including missed assisted collections. What is being done to ensure full coverage of the service?

<b>Answer from:</b>	Councillor Bob Goodman
---------------------	------------------------

*Following the successful introduction of the new collection service to over 78,000 households, as with any major service change, there have been adjustments necessary to ensure that collection rounds are balanced between crews and that properties are collected by the most appropriately sized vehicles. Staff are familiarising themselves with new routes.*

*A dedicated Supervisor has been seconded to work with residents and crews to resolve issues from individual properties, providing long term solutions, and to monitor properties where repeated missed collections have occurred. This is resolving many of the issues and complaints have reduced. In May, the number of missed collections reported to the Council for waste and recycling was less than 0.4% of the total number of collections.*

*Some routes will be rebalanced over the coming weeks to ensure workload can be completed and some day changes will be necessary as a result to help the service be as reliable as possible.*

<b>M 21</b>	<b>Question from:</b>	Councillor Alison Millar
-------------	-----------------------	--------------------------

Why is it still the case that the council's own Development Management committee, which is made up of BANES' councillors, is the body which takes critical decisions on applications, even in cases where BANES itself is the applicant? This can lead to contentious decisions such as the recent one to allow student accommodation on the former Bath Cricket club, currently being taken to judicial review. By law it is possible for independent bodies to make the decisions in cases such as these and that would surely be a more balanced process for such contentious decision making. Also - Why are interested parties such as the Advisory Board of the world heritage site not consulted on decisions which have huge implications for the city such as this one?

<b>Answer from:</b>	Councillor Bob Goodman
---------------------	------------------------

*The Council's Terms of Reference for the Development Management Committee state that "The committee will exercise all the Council's powers and duties in respect of Development Management (subject to the scheme of delegation set out in the Constitution.....)". Planning applications submitted by the Council must be dealt with in the same way as those submitted by private developers and there are no other bodies that can make the decisions. The planning permission has not been issued for the former Bath Cricket Club and so there is no judicial review challenge. Applicants can appeal to the Planning Inspectorate against planning decisions and anyone can challenge the legality of decisions through the courts.*

*The Council publicises planning and other applications in line with the regulations and any views submitted are taken into account before a recommendation and decision is made. With regard to the potential consultation of the World Heritage Advisory Board in planning decisions, they are not a statutory consultee. However, any impact on the World Heritage Site is already addressed by case officers through adopted planning policies. Many of the organisations represented on the Advisory Board already comment on applications from their individual perspective.*

<b>M 22</b>	<b>Question from:</b>	Councillor Paul Crossley
-------------	-----------------------	--------------------------

At the meeting of the Children and Young People PDS panel on 15 May, the Cabinet member said that "three quarters of children in the South West [of Bath] will get free home to school transport". Please could he confirm how many children will be given free

home to school transport and will he achieve this?

**Answer from:**

Councillor Paul May

*We currently have 80 children who we have assessed as being entitled to transport to St Mark's in September either due to statutory distance or low income. However this number could reduce as the results of appeals for oversubscribed schools are known over the next few weeks. There are only 2 children who have been 'referred' to St Mark's but who don't qualify for transport.*

*Passenger Services will run contracted vehicles to transport the children. Parents will be notified during August of the detailed arrangements.*

**Supplementary Question:**

At the Call In meeting you stated that "three quarters of children in the South West of Bath will get free home to school transport" without any mention of 'subject to rules'. How will you going to honour your promise and pledge?

**Answer from:**

Councillor Paul May

*I have stated quite clearly that 75% of children will get free home to school transport, so I have not mislead the Call In meeting.*

**M 23**

**Question from:**

Councillor Paul Crossley

1. How many staff are now employed by the West of England Combined Authority and Mayor?
2. What is the salary total and what is the salary range?
3. How does this bureaucratic expansion sit with the original assertion that a WECA Mayor would be slim and efficient?
4. The WECA Mayor is sitting on £80m of Transforming Cities funding, which is meant to be aimed at cycle and transport infrastructure. If this was spent solely on proportion to population it would be distributed as follows :-
  - Bristol: £40.4M
  - South Gloucestershire: £24.5M
  - B&NES: £15M (of which Bath should get £7.9M).

What plans has the WECA Mayor got for this money and what is the Cabinet and Cabinet member for transport doing to ensure that a fair share is ring-fenced for B&NES? What projects would the cabinet like to see it spent on?

**Answer from:**

Councillor Tim Warren

*Questions 23 refer to the functions and plans of the WECA and therefore do not fall*



*within Cabinet's remit.*

*These questions should be referred to the WECA Mayor.*

*With regard to "The WECA Mayor is sitting on £80m of Transforming Cities funding .... what is the Cabinet member for transport doing to ensure that a fair share is ring-fenced for B&NES? What projects would the Cabinet member like to see it spent on?"*

*The Cabinet Member will be negotiating (with officer advice) for a representative share of funding but this is part of an on-going discussion with the other members of the WECA. Once the funding is established, then priorities will be agreed.*

<b>M 24</b>	<b>Question from:</b>	Councillor Richard Samuel
-------------	-----------------------	---------------------------

Will the Cabinet member join the Mayor of Bristol in reversing the planned cuts to libraries?

<b>Answer from:</b>	Councillor Karen Warrington
---------------------	-----------------------------

*Unlike Bristol we had not stated that we are closing libraries or removing our mobile service. B&NES is investing significantly in our main libraries in the 3 urban areas and ensuring they meet the modern way that the communities access advice and information for a whole range of services as well as books in a safe modern environment, in addition to investing in developing new and existing community libraries.*

*B&NES is ensuring that community libraries better meet the needs of each community by giving the community the opportunity to develop something that they individually want and that is relevant to their own residents by offering start-up funding and ongoing professional support and stock provision. This will result in more community libraries in B&NES giving benefit of additional safe community spaces for social interaction, community events, books and an increased browsing experience with added value of additional 'click and collect' points supported by our investment in an improved more resilient van delivery service.*

*We have received an enthusiastic response both from the communities who have a branch library already, and from those who do not, which will increase access to books and community engagement for the love of learning and accessing information significantly for everyone in B&NES.*

<b>M 25</b>	<b>Question from:</b>	Councillor Dine Romero
-------------	-----------------------	------------------------

Holiday lets:

1. Does the Council hold any data on the numbers and sizes of dwellings used as full time holiday lets in Bath and in North East Somerset?
2. What research is available regarding the effects of the burgeoning short term lets market (e.g. Airbnb) on the local housing market? What is the impact of the loss of large numbers of smaller housing units for rent?
3. How many complaints has the Council received regarding noise disturbance,

waste management and other issues in relation to so-called 'party house' holiday lets?

**Answer from:**

Councillor Paul Myers

1. *The Council has commissioned a Visitor Accommodation Study which is underway and is assessing a range of issues related to different types of visitor accommodation. This includes collating up to date information on the numbers and sizes of dwellings used as full time holiday lets in B&NES. In advance of this study the Planning Policy team also undertook some initial analysis of properties available as short term holiday lets. This suggested that at the end of 2016 there were 880 properties on Air B&B and other holiday let listings in B&NES, although not all of these related to the entire property nor were they of a full time nature.*

2. *The Visitor Accommodation Study referred to above will be assessing the effect of short term holiday lets on the local housing market, as well as the visitor accommodation market. The Visitor Accommodation Study is being undertaken primarily to inform the emerging Local Plan. The study report will be published alongside the Local Plan options consultation in autumn this year.*

3. *The Planning Enforcement Team has collated information on the number of known large holiday let properties (known as 'party houses'). This shows that at October 2017 there were a total of 48 properties in Bath operating as large holiday lets (i.e. accommodating 10 or more persons). These 48 properties offered a total of 673 beds. A total of around 10 complaints have been received.*

**Supplementary Question:**

Would you agree that the market for short-term holiday lettings, as it is unregulated, could actually benefit from the rules (such as 90 night limit) which apply to within the Greater London and may benefit from some form of planning classification scheme which may help addressing some of these concerns?

**Answer from:**

Councillor Paul Myers

*I will provide an answer in 5 working days.*

## QUESTIONS AND ANSWERS - PUBLIC

<b>P 01</b>	<b>Question from:</b>	Nick Fowler
<p>Could you please tell me why you and the Council think it's acceptable to let all the verges off grass just to be left, how is it that once again council tax goes up service goes down. I live in Innox Road in Bath and the grass has grown over 4ft but yet you go to Landsdown, Royal Crescent, the Circus it's all been cut why is that think it's disgusting how because we don't live in the expensive area off bath we don't get the same service?</p>		
<b>Answer from:</b>		Councillor Tim Warren
<p><i>The Council budget agreed for this year has reduced resource within the parks department by 15%. This means that there are less staff employed now to cut grass than before, and schedules have had to be revised accordingly throughout the whole district. Frequency of mowing in all areas has been reduced and where there are clear benefits to wildlife then grass is being deliberately left to grow longer.</i></p> <p><i>Specifically, the verges off Innox Rd (Highfield/Longhay/NorthView/Springfield) are now mown twice per season in full (June/Aug) but with the perimeter mown @ 4-6 week intervals to ensure growth is kept back from the adjacent roads and parking areas. The areas described are comparatively narrow in width (approx. 7m), banked and surrounded by parking so recreational use is limited.</i></p>		
<b>P 02</b>	<b>Question from:</b>	Sarah Moore
<p>As the state of the grass cutting in the South West of Bath has reached such an appalling state, now cutting some parts and not others, cutting middle sections and leaving edges to grow over footpaths and gutters and allow grass to grow to over 3 feet tall in places, please can the Cabinet Member for Development and Neighbourhoods explain what evidence was used to substantiate the claims that less frequent grass cutting will, cut air pollution as the strain you are putting the machines under to cut grass that is over 2 feet tall is greater than regular cutting of shorter grass. Can the Cabinet member also explain how this new regime will reduce traffic congestion as this is also listed on the BANES website for a reason to reduce the number of times the grass will be cut?</p>		
<b>Answer from:</b>		Councillor Bob Goodman
<p><i>The Council has to work within its budget, and announced earlier in the year that</i></p>		

*significant numbers of staff would be affected. The parks department has reduced staff accordingly. Hence the frequency of mowing and the amount of smaller grass cutting equipment used has reduced with an associated reduction in fuel use. The larger equipment is proportionally more fuel efficient as it operates more quickly and can cut larger areas of longer grass which it is designed to do.*

*Urban vegetation intercepts air born pollution through either capturing it upon the leaf surfaces and/or absorption into the leaves. As the grass is being cut less frequently traffic is not being held up by workers so often.*