

BATH AND NORTH EAST SOMERSET

PLANNING, HOUSING AND ECONOMIC DEVELOPMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 6th November, 2018

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

Also in attendance: Graham Sabourn (Head of Housing), John Wilkinson (Director of Economy and Growth), Simon De Beer (Policy & Environment Manager), Ann Robins (Planning and Partnership / Supporting People Manager) and Richard Daone (Planning Policy Team Leader)

22 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

23 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

25 DECLARATIONS OF INTEREST

Councillor Liz Richardson declared a disclosable pecuniary interest during the Cabinet Member Update when the issue of Broadband was discussed as she is a TrueSpeed shareholder.

26 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Fiona Wilde made a statement to the Panel on the subject of tenancy agreements and Airbnb. A copy of the statement can be found on the Panel's Minute Book, a summary is set out below.

She explained that her landlord had put her tenancy onto a month to month basis and had refused to issue her usual fixed term agreement for a year and that she is unable to get clarity as to why things have changed.

She said that they refuse to answer whether or not they are in the process of selling the place that has been her home for 8 years. She added that they say that they have no plans to run an Airbnb, but this does not rule out them selling the flat to someone else who will.

She stated that she feels as though she has no option but to look for somewhere else to live as soon as she can.

She explained that she knows she has the right to be issued with a Section 21 Order, which will give her 2 months and after that she could ask for more time, but if the intention is to evict me, what advantage is there in postponing the situation for the sake of it, as flats will become more scarce and more expensive.

She stated that she is living with the constant anxiety of knowing that the rug may be pulled out from underneath her at any time. She added that she knows that there are waiting lists for flats because the housing stock in Bath has become so depleted and that it is entirely possible that she will become homeless before she can find anywhere to live and that terrifies her.

She said that her boyfriend had spoken to a local Councillor recently and mentioned that he had put in a complaint about the Airbnb upstairs from me but hadn't heard anything back. The Councillor said that the Council 'just don't have the resources' to chase up complaints, or to verify whether Airbnb hosts are staying within the 90 day limit.

She stated that Airbnb's promise of 'living like a local' is farcical. It is making those very locals homeless and is turning Bath into a kind of grotesque Georgian theme park where the privileged rub shoulders with tourists.

She asked the Panel what they would do in her position.

Councillor Liz Richardson thanked Fiona for her statement and said she had sympathy for the situation she is in. She asked whether she had looked at the Homesearch site as that has a number of options on it including Help to Buy schemes and Affordable Rent Properties.

Fiona Wilde replied that she hadn't, but could not afford to purchase a property.

Councillor Colin Blackburn said that he understood her situation, but just for clarification explained that B&NES currently does not impose a 90 day limit on Airbnb properties. He added that he recognised it would be tough to leave a place that you have made your home for a number of years.

Fiona Wilde said that she felt that she deserved more respect and should be told of their intentions sooner rather than later to be given a fair chance.

Councillor Barry Macrae said that there was nothing that the Panel could do immediately for her, but he urged her to gather evidence of being a good tenant for

the past eight years as that may help her when seeking a new place to live if she did have to move out.

The Chairman said that he could not imagine how it must feel with this possibility hanging over her. He thanked her being influential to the Council by raising the issue of Airbnb earlier in the year.

28 MINUTES - 11TH SEPTEMBER 2018

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

29 CABINET MEMBER UPDATE

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

Local Plan Options – He stated that this was to be a very important document and that a significant amount of work had been undertaken with the Universities to address areas such as Student Accommodation. He added that the document would encompass the whole of the Authority.

Joint Spatial Plan – The examination in public was still due to take place after the Local Elections in May 2019.

Westfield Neighbourhood Plan – At its meeting on October 31st the Cabinet agreed to make and bring into force the Westfield Neighbourhood Development Plan as part of the Development Plan for the Westfield Neighbourhood Area.

Councillor Barry Macrae stated that he would like to see the Local Plan deliver what B&NES needs / deserves and to not bough to the pressure of any external influences.

Councillor Goodman replied that he would always look to fight for the best outcomes for the Authority.

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

He informed the Panel that he had circulated a statement from Gigaclear CEO Mike Surrey regarding the Devon and Somerset full fibre rollout.

The statement said that he would like to apologise for the delays in delivering a full fibre network across rural Devon and Somerset. He acknowledged that the project is running significantly behind schedule and accepted that their performance to date had fallen short of the high standards they set themselves.

He added that under new ownership and with a new management team now in place they have been able to review every aspect of the project in detail. He said that he would like to assure all stakeholders that Gigaclear will absorb any additional costs

incurred and commit that there will not be any increases to the level of public subsidy.

He stated that Gigaclear will present a new plan to Connecting Devon and Somerset to re-energise the rollout programme and that they remain committed to delivering fast broadband services to the region.

The Director for Economy & Growth added that he would update the Panel further in the coming weeks if information becomes available or at their next meeting.

Councillor Barry Macrae asked if this affected the wards of Midsomer Norton, Radstock and Westfield.

The Director for Economy & Growth replied that a number of schemes were in existence and that Gigaclear's role is to supply where the general market will not. He added that B&NES was one of the leading Local Authorities in using Gigabit Vouchers.

The Chairman asked what the orange sections of the attached map represented.

The Director for Economy & Growth replied that these were the areas that had been identified that were not due to be covered by the general market.

Councillor Colin Blackburn asked if an Authority wide map could be produced to show which supplier is doing what and where.

The Director for Economy & Growth replied that he did not think that would be possible. He added that for example a company such as TrueSpeed operate a demand driven model whereby 30% of a community agree to a pre-contract agreement.

Councillor Myers suggested that Councillors share any specific areas of concern with him and officers and then they could look to facilitate some options towards a solution.

Councillor Liz Richardson commented that the issue is raised at every Parish Council meeting. She said that it was important to distinguish the difference between standard packages, fibre cabinets and fibre to the home.

Councillor David Veale asked how many homes have been supplied with broadband through the schemes that have been mentioned.

The Director for Economy & Growth replied that he could supply to the Panel figures in relation to homes under the Connecting Devon and Somerset project.

The Chairman asked what effect the proposed 5G trial would have locally. He commented that he had also heard that BT were proposing to supply 4G wireless hubs to homes should home broadband fail to work.

The Director for Economy & Growth replied that he could provide a 5G briefing note to the Panel.

Economy & Culture

- The Business Growth Team have successively secured funding from WECA to deliver a free open Wi Fi network for Bath City Centre and the town centres of Keynsham, Midsomer Norton and Radstock.
- The 5th Bath Digital Festival started on the 23rd October and will see over 85 workshops and events across the city covering everything from programming to robot wars, the Business Growth team have provided funding and support to make sure the event is a success.
- As of 1 October 2018 the Business Growth Team has taken over the management and day-to-day running of the Wansdyke Business Centre from GWE Business West. The focus to date has been in ensuring a smooth handover of operations to ensure “business as usual” for the centre’s commercial tenants.
- The Arts Development service will close at the end of January 2019.
- WW1 Centenary – A souvenir magazine ‘How We Remembered’ looks back on the WW1 Centenary locally and highlights some of the fantastic events and projects that have happened 2014-2018, almost all of them led by volunteers. The publication will be available (free) to residents in Libraries and other outlets during November.

Bath Enterprise Zone

- Bath Quays North – Development partner procurement progresses, with Final Tender call date anticipated mid-November following confirmation of all requisite internal approvals.
- Bath Quays South – Initial enabling works package nearing completion on-site. Trees and vegetation removed and archaeology concluded with no significant finds and ground works commencing. Second work package 2B activities agreed with contractor incorporating technical solution. Package being priced by contractor.
- Bath Quays Bridge – BQS contractor to deliver Phase 2b work package identified - foundations to bridge substructure and river wall – work package being priced with inclusion of revised technical solution.

Housing

- Extension of Mandatory Licensing – As the Panel maybe aware the eligibility for mandatory licensing was extended on the 1st October. Now all HMO which house 5 people - regardless of the number of storeys – are required to be licensed. So far the Council has received 191 applications for new HMO

licences which is close to what was expected at this stage. Further applications are expected in December when 300 licence holders transfer from the Additional to the Mandatory scheme under the new mandatory licensing definition. The total number of HMOs licensed under the mandatory scheme is expected to be 1000.

- Empty Property Week 2018 – From the 15th to 21st of October, the Council participated in National Empty Homes week. The Council used the week to showcase the good work being done within the Council including releasing two infographics via the Councils social media platforms and website. One aimed at residents to encourage the reporting of empty properties, and the other alerting owners of the assistance available. A press release promoting the launch of the new Empty Residential Property Policy 2018, was circulated to local media.

Heritage Services

- Business Performance: September performance was strong, with visitors exceeding budget at all three sites. YTD visitors at the Roman Baths were - 1.5%, an improvement on -2.0% YTD to August. The shortfall on admission income has improved to £33k (0.3%) and retail sales are now ahead of budget by 0.5%. Overall year-end performance is forecast to be +1.15% on the 18/19 profit target of £7.78million.
- Principal Archivist: Richard Meunier has been appointed to the post to start in the New Year. Richard is currently the Archivist at Queen Mary University London, where he is responsible for the archives of Barts Hospital and the London School of Medicine & Dentistry, as well as management of The Royal London Hospital Museum and its volunteers.

Regeneration

- Housing Infrastructure Fund and Housing Deal (North Keynsham and Whitchurch) – Housing Infrastructure Fund Outline Business Case (HIF OBC) consultants due to be appointed mid-October, business case submission March 19. £250m bid joint with WECA and Bristol City Council, B&NES element likely to be circa £55m for North Keynsham link road and £5m for Whitchurch link road planning application
 - Landowner discussions progressing, including Avon Valley Wildlife and Country Park;
 - Consultation on vision for the sites and transport options to be co-ordinated with New Local Plan public consultation in November 2018;
 - WECA are resubmitting the Housing Deal proposal to Government, to secure additional housing enabling funding.

WECA Retail Proposal – Discussions are due towards the end of November regarding the possibility for schemes to bid for capital funding for retail in Town / City Centres.

Market Towns

- Keynsham High Street: Outline Business Case approved subject to minor clarifications. Concept designs, further public consultation and full business case to commence once next tranche of B&NES capital funding approved by Officer Delegated Decision;
- Radstock Healthy Living Centre: NHS funding and B&NES Single Member Decision confirmed enabling detailed design to commence.

Environment & Design Projects

- Bathscape – At the end of September, we heard that the Bathscape Landscape partnership has secured £1.65 million from the Heritage Lottery Fund for its ambitious scheme to restore local natural heritage and improve access to the stunning landscape surrounding Bath.

Councillor Lisa O'Brien asked when development of the Radstock Healthy Living Centre could be expected.

The Director for Economy & Growth replied that he believed that this would be due in 2020.

Councillor Liz Richardson asked if the funding secured for Bathscape was for the highlighted existing projects.

The Director for Economy & Growth replied that it would be used for new ideas as well as joining up existing projects.

Councillor Colin Blackburn asked if a figure could be given for the empty properties under Council control that have been brought back into use.

The Head of Housing replied that he would provide that information to the Panel.

The Chairman asked how many of the 191 applications for new HMO licences were in Bath and how many were in North East Somerset and in what condition the properties, particularly in North East Somerset were.

The Head of Housing replied that the applications were predominantly Bath based and that the inspections would take around two months to complete.

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

30 BANES NEW LOCAL PLAN OPTIONS CONSULTATION

The Group Manager for Policy & Environment introduced this report to the Panel. He explained that the review of the adopted Core Strategy / Placemaking Plan is now underway in order to ensure the District's policy framework is up-to-date and to reflect the requirements of the West of England Joint Spatial Plan. He said that prior to the preparation of the draft plan in 2019, a number of options for changes to policy

are being considered. He stated that these were agreed by Cabinet for public consultation in November 2018 and that views of the Scrutiny Panel are sought on the options to help inform the preparation of the draft Plan.

He added that the Consultation sets out the policy options for public engagement. These options are subject to a sustainability appraisal to assist in selecting the preferred policy and options are constrained by National Planning Policy, the Joint Spatial Plan and the Council's priorities.

Councillor Barry Macrae commented that he understood the process officers were required to undertake, but urged a note of caution to not be guided by national statistics.

He said that he would like to see additional housing come in the format that the local people actually require. He added that this housing should come with appropriate infrastructure such as schools and shops. He said that a holistic view was required.

The Group Manager for Policy & Environment replied that the Council does have some control over housing provision and that the need to align infrastructure has been made very clear. He added though that the figure of an additional 14,500 homes across B&NES has been established through the West of England Joint Spatial Plan, but there is some discretion as to where and what type of housing is built.

Councillor Liz Richardson fully commended the officers and Councillor Goodman for their work on the Plan and said that she felt that it was a fantastic document. She said that the proposed policy BTH4 regarding university accommodation was a master stroke and welcomed the universities involvement.

She said that she was sure that Parish Councils will have their views and hoped that the Plan would generate responses including those of a positive nature.

Councillor Lisa O'Brien said that she felt that there was an error in section 3.2.3 and that it should read 'increasingly' instead of 'unceasingly'. She commented that it was so important to get the correct future housing mix right including Affordable and Social Rent. She questioned whether one option could be for the Council to build their own homes in the future.

She stated that she agreed with section 4.2.5 which seeks to restrict student accommodation in the Central Area, Enterprise Zone and former MoD sites where this would undermine delivery of new homes and jobs.

She said that it was also interesting to read in section 4.2.7 that some cities have started to see an over-supply of Purpose Built Student Accommodation (PBSA) and resultant change of use from PBSA to visitor accommodation.

She said that the wording of 4.2.21 implies that the decision regarding the proposed Clean Air Zone has already been and suggested officers might want to amend this.

On the matter of the proposal to move the public household recycling centre at Midland Road to land at Odd Down she said that a recycling facility to the north of Victoria Park and therefore better serving the northern part of the city would be welcome.

The Group Manager for Policy & Environment replied that 30 – 40% affordable housing was being delivered on the majority of developments. He added that it has been a positive engagement with the universities and that work was ongoing to seek affordable rents for students.

The Chairman asked if the removal of permitted development rights had been considered regarding HMOs.

The Group Manager for Policy & Environment replied that it had not been raised at this point in time.

Councillor Lisa O'Brien asked where was the evidence that we require the provision of 500-750 new hotel bedrooms from 2011 to 2029 to widen the accommodation offer for the City.

The Team Manager for Planning Policy replied that the evidence came from the Visitor Accommodation Study that was undertaken to inform the Core Strategy. The requirement for 500-750 hotel bedrooms was also set in the Core Strategy. He added that this demand has been broadly met. The Local Plan will review the policy approach.

The Chairman asked the Panel if they were content with the approach detailed for public involvement regarding the consultation.

The Team Manager for Planning Policy said that the date of the meeting in Midsomer Norton had changed and that they would publicise this.

The Panel **RESOLVED** to;

- i) Note the contents of the report
- ii) Approve the consultation process as listed in Attachment 1

31 HOMELESSNESS & ROUGH SLEEPING

The Head of Housing introduced this report to the Panel. He explained that the Homelessness Reduction Act 2017, which came into effect in April 2018 was the biggest change to homelessness legislation for 15 years. He added that B&NES had been working in a similar manner to this for the past 10 years so it was not as challenging for us as some other Local Authorities.

He stated that client interviews do now take around twice as long, between 2-3 hours, as a large amount of information is collected. He said that footfall had not increased as much as had been anticipated. He added that more complex issues are being identified with clients, particularly mental health.

The Team Manager for Strategy & Performance stated that in August 2018 the Ministry of Housing, Communities & Local Government (MHCLG) launched their Rough Sleeper Strategy and as part of the strategy B&NES had recently successfully secured around £660k of funding over the period of 2018/19 to 2019/20 to provide following additional services, including:

- Safesleep - 20 additional bed-spaces for rough sleepers between November and February.
- Advice and support within the Emergency Department at the RUH to divert patients from sleeping rough.
- A wider Housing First project for rough sleepers, providing 5 units of accommodation.
- Mental Health Clinicians embedded within the outreach team. Working alongside outreach workers, these specialists will be able to assess any mental health needs and enable access to services, both of which have previously proved to be a barrier to treatment.

Councillor Liz Richardson commented that the mental health work was welcome. She asked if any funds generated through HMO Licensing or penalties to landlords could be used for further homelessness accommodation. She commented that it will be interesting to see the numbers in this year's rough sleeper count.

The Head of Housing replied that the HMO Licensing Service is cost neutral and that income from fines is ring fenced for work associated with housing regulations. He added that in terms of funding there is normally a short notice period given in which to apply and said that currently MHCLG are showing a desire to fund this work year on year.

Councillor Barry Macrae commented that the work undertaken was positive, but was concerned with what would happen should the funding cease. He said that further prevention work was required and asked if future reports could focus on reducing numbers.

The Head of Housing replied that where possible officers will use the Reconnection Service to ascertain that accommodation is still available and that appropriate support can continue for rough sleepers that arrive from other parts of the country, having left accommodation and support networks behind.

Councillor Lisa O'Brien commented that the pro-active work of officers is laudable and felt that Councils have a moral duty to help those in need / vulnerable.

The Chairman commented that the figures relating to temporary accommodation for the area were really good. He asked if a violent incident occurred at Julian House would the service be withdrawn from the client(s) involved.

The Team Manager for Strategy & Performance replied that the team at Julian House do have a high tolerance level, but a point does come when individuals cannot be accommodated. She added that a blanket ban is never issued to allow for reconciliation.

The Chairman asked if the public should be advised better on how to help individuals.

The Team Manager for Strategy & Performance replied that money should not be given directly to individuals and suggested they should look to supporting initiatives to raise awareness.

The Panel **RESOLVED** to note the contents of the report.

32 PANEL WORKPLAN

The Chairman introduced this item to the Panel. He said that they could expect to receive a report on the Council's Service / Financial Plans in January. He asked them to consider thinking of future items for after the Local Elections in May 2019 for the body that will have this remit of work.

Councillor Liz Richardson commented that it will probably not be relevant for the Panel to discuss the Joint Spatial Plan in March 2019 as the public examination is not due until after the elections. She suggested that they receive feedback on the Local Plan Options and further information relating to Broadband.

The Panel agreed with the proposals raised.

The meeting ended at 4.25 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services