

## **CABINET MEETING – 10 NOVEMBER 2022**

### **STATEMENTS FROM PUBLIC AND COUNCILLORS**

1. Malcolm Baldwin (Chair, Circus Residents Association – CARA) – Liveable Neighbourhoods Strategy
2. Martin Grixoni – Changes of direction within the Council
3. Dr John Leach – Milsom Quarter, Bath
4. Patrick Rotheram (Chairman, Vineyards Residents' Association) – Milsom Quarter, Bath
5. Robbie Bentley – Public Transport Network
6. Saskia Heijltjes – Valley Floor to Claverton Down Cycle Route
7. Cllr Andrew Furse – Jiangxi Province Friendship Agreement and Save our Railway Ticket Offices
8. Cllr Vic Pritchard – Waste and Recycling in B&NES
9. Cllr Jess David – The development of 89-123 Englishcombe Lane

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M</b>	<b>01</b>	<b>Question from:</b>	Cllr Dr Yukteshwar Kumar
When will Think Britain submit the report on North Road consultation? How do we justify a cost of £30K to a panel for a consultation which almost 95% of residents on North Road and nearby areas oppose?			
<b>Answer from:</b>			Cllr Sarah Warren
<p><i>Britain Thinks has submitted its final report to the Council and will present their findings at the November Cabinet meeting. The panel considered not only active travel routes from the valley floor to Claverton Down, but also the wider principles of fitting active travel infrastructure onto the road network across the whole of Bath and North East Somerset, making recommendations that the council will incorporate into future decision-making. Britain Thinks were awarded the contract following an open and transparent tender process and were competitively priced.</i></p> <p><i>It is worth noting that the consultation feedback from residents on the original North Road active travel proposal in 2020 was much more evenly spread between those in favour of the schemes and those that were not. A suggestion that 95% of residents from the North Road area were opposed is not reflected in the responses that were received. Please see the link below to the Cabinet Report of the 23<sup>rd</sup> of June 2021, paragraph 3.30 onwards.</i></p> <p><a href="https://democracy.bathnes.gov.uk/documents/s66155/Report%20E3284.pdf">https://democracy.bathnes.gov.uk/documents/s66155/Report%20E3284.pdf</a></p>			
<b>M</b>	<b>02</b>	<b>Question from:</b>	Cllr Dr Yukteshwar Kumar
Why scooters (Vol) were not allowed inside the university or on North Road during the test phase? Was there any opposition from the university?			

<b>Answer from:</b>		Cllr Sarah Warren
<p><i>The council worked closely with the University of Bath in advance of the expansion, not only to ensure the scooters were in place for the start of the new academic year, but also to meet the travel needs of its students. The university advised that as the majority of its students live to the west of Claverton Down, they predominately choose Widcombe Hill to travel onto campus. This is one of the reasons why Widcombe Hill was chosen for the initial expansion trial, as it offers the best connectivity for students, on a route they already know and use. This does not mean other routes will not be considered going forward, as the council is taking a staged and measured approach to the e-scooter trial. For those with a long-term rental scooter agreement through Voi, there are no route restrictions within the operating zone, so they can choose alternative routes to reach the university campus. The University worked directly with Voi in working up a private landowner agreement which sets out exactly how and where eScooters are permitted on their site.</i></p>		
<b>M</b>	<b>03</b>	<b>Question from:</b> Cllr Dr Yukteshwar Kumar
In comparison to most of the wards, a meagre amount of CIL was allocated to my ward (Bathwick) last year. Any particular reason, please?		
<b>Answer from:</b>		Cllr Kevin Guy
<p><i>The Bath Neighbourhood CiL (Community Infrastructure Levy) only funded one project in 2021. That was to support a city-centre based counselling and support service to assist people suffering from domestic abuse. This service covers the whole of the city. There was no CiL expenditure specifically in Bathwick during 2021 nor in any other ward due to the restrictions of the COVID pandemic.</i></p> <p><i>Prior to 2021 in excess of £80,000 of CiL funding has been spent in the Bathwick Ward, on a number of projects. In 2022 we are currently progressing round 12 of the funding programme which includes a further £35,000 ear-marked for canal towpath repair and resurfacing work, also in the Bathwick ward.</i></p>		
<b>M</b>	<b>04</b>	<b>Question from:</b> Cllr Eleanor Jackson
How many of the dignitaries whose portraits hang in the Council Chamber were slave owners? Should they not be removed to less prominent positions and replaced by pictures illustrating the multi-cultural inclusive society Bath and North East Somerset aspires to be?		

<b>Answer from:</b>		Cllr Kevin Guy
<p><i>We researched this in March 2021 using the University College London index of slave owners and found two portraits (as attached at Appendices 1 and 2) – one MP of Bath and one Mayor. W.T. Blair (Mayor) is not on display. John Palmer (MP) is currently on view at the Assembly Rooms and will come off display in January 2023.</i></p>		
<b>Supplementary Question</b>		Cllr Eleanor Jackson
<p>Would you agree that these portraits are not representative of B&amp;NES today? Would it be a good idea to replace them with modern portraits, or with portraits of people such as the philosopher Hannah Moore or Georgiana Cavendish, Duchess of Devonshire, which would be more appropriate for 2022. This would demonstrate that B&amp;NES is an inclusive Council and would encourage more women to engage in political careers.</p>		
<b>Answer from:</b>		Cllr Kevin Guy
<p><i>Yes, I agree with you. I would endorse your suggestion and will speak to the Arts Department about this.</i></p>		
<b>M</b>	<b>05</b>	<b>Question from:</b> Cllr Colin Blackburn
<p>Are B&amp;NES in anyway providing maintenance to properties handed to Curo and managed by them as part of their estate?</p> <p>If so, can you please explain the commercial arrangements.</p>		
<b>Answer from:</b>		Cllr Richard Samuel
<p><i>The occupational agreements (lease) between B&amp;NES and CURO, provide the commercial arrangements. Essentially the Tenant (CURO) is responsible for the interior of the flat (including glass, sash cords in windows, rooflights and pavement lights) of which the tenant has</i></p>		

*exclusive use and benefit, but not the exterior frames of such windows, roof lights etc which form part of the exterior structure of the Building.*

*The Landlord's obligations relate to the remainder of the Building, namely common parts and the other tenanted and/or void areas. The Landlord paints the exterior of the Building; regularly cleans the Common Parts and maintains them in a clean and tidy condition. A service charge is payable to the Landlord towards such costs and expenses.*

**M 06**

**Question from:**

Cllr Karen Warrington

Please provide a summary of the complete journey, from collection to disposal, that residents' waste and recycling takes. We would like to know where residents' rubbish ends up after it is processed by the Council. Could you also look at organising a member-only briefing session to give councillors the chance to get a full overview of the waste and recycling service and the chance to ask questions?

**Answer from:**

Cllr Dave Wood

*Information on what happens to the waste and recycling collected can be found on the following page of the website <https://beta.bathnes.gov.uk/policy-and-documents-library/recycling-statistics>. Officers from Waste Services will hold a virtual member-only briefing session on 15<sup>th</sup> December.*

**M 07**

**Question from:**

Cllr Karen Warrington

A £20m bid for funding for the new Fashion Museum is to be submitted to the Government's Levelling Up Fund. When will the bid be submitted, when will we hear if the bid has been successful and how does the administration plan to proceed with the plans for the Fashion Museum if the bid is unsuccessful?

**Answer from:**

Cllr Kevin Guy

*A bid was submitted to round 2 of the levelling up fund on 2nd August. There is no confirmed decision date from the Department of Levelling Up Housing and Communities other than 'the autumn'.*

*If we are not successful with this bid submission Heritage Services will develop a range of options to take the project forward. These may consider alternative funding sources, phasing delivery and overall scope of the current proposals.*

<b>M</b>	<b>08</b>	<b>Question from:</b>	Cllr Karen Warrington
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Plans are currently in place to build a cycling track at Entry Hill. Entry Hill is a former landfill site. Please detail all work undertaken to date to ensure the site is free from contamination and will not pose a threat to the health of the public and the environment when the site is disturbed should the development go ahead.

<b>Answer from:</b>	Cllr Mark Roper
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*The Environmental Services team have been engaged through the project and pre-application process and have provided comments on the proposal. As recommended, a Phase I Desktop and Phase II Full Intrusive Survey have been completed by ground survey specialists, Integrale.*

*The reports suggest that the bike park proposal would not cause any increased risk for public health although highlighted several areas for consideration by the design team and the appropriate mitigations put in place.*

*Integrale are part of the project team and will continue to be engaged and advise on site through the construction phase. The reports will be included as part of the full planning application which will be submitted at the end of November.*

<b>M</b>	<b>09</b>	<b>Question from:</b>	Cllr Vic Pritchard
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In the original plans for the bike park at Entry Hill, provision was made for a number of allotments on site. They have been removed from the revised plans. Please confirm why provision for allotments was removed from the plans for Entry Hill.

<b>Answer from:</b>		Cllr Mark Roper
<p><i>It was concluded that the site was not a suitable location for allotments due to accessibility and the cost. Support for allotment provision was also not strong in resident surveys. Removing the allotments has also created more free-to-use community space. The section 106 funding allocated for allotment provision will be assigned to alternative sites.</i></p>		
<b>M</b>	<b>10</b>	<b>Question from:</b> Cllr Vic Pritchard
Please detail the role the Council's Environmental Services team has played in developing the plans for Entry Hill and ensuring the site is safe to build on.		
<b>Answer from:</b>		Cllr Mark Roper
<p><i>The Environmental Services team have been engaged through the project and pre-application process and have provided comments on the proposal. As recommended, a Desktop and a full Phase II Intrusive Study have been completed; and ground survey consultants would continue to be engaged to advise on site through the construction phase. The full reports will be included as part of the full planning application which will be submitted at the end of November.</i></p>		
<b>M</b>	<b>11</b>	<b>Question from:</b> Cllr Lisa O'Brien
When can residents expect to gain access to the Phase 2 Contaminated Land Survey for the proposed development at Entry Hill, commissioned by the Council at a cost of £16,000?		
<b>Answer from:</b>		Cllr Mark Roper
<p><i>The Phase II report is currently in draft form and is being used to finalise the design development. The final report will be published as part of the full planning application which will be submitted at the end of November.</i></p>		

<b>M</b>	<b>12</b>	<b>Question from:</b>	Cllr Vic Pritchard
With regard to NHS pressures on hospital discharges to social care settings, coupled with the cost of living crisis and spiralling inflation, would it not be prudent to hold onto certain elements of the HCRG contract to ensure any concerns around Urgent Care are adequately met and the desire to bring all aspects of the service in house doesn't inadvertently destabilise the whole system?			
<b>Answer from:</b>			Cllr Alison Born
<p><i>The health and social care system is under significant pressure post COVID and will continue to face multiple challenges going forward. The decision to bring Adult Social Care back in house will allow the Council to ensure money is spent on the delivery of care to meet the needs of the most vulnerable in our B&amp;NES community.</i></p> <p><i>The Council is working closely with the Integrated Care Board (ICB) to ensure that it has the right services in place for the residents of B&amp;NES. The Council will maintain robust discharge arrangements that support the wider health system whether the services are provided in house or not. Through the Community Services Transformation programme we are looking at innovative ways that community partners can continue to play an important role in the process ensuring that vulnerable people have the support they need within their own communities.</i></p>			
<b>Supplementary Question from:</b>			Cllr Vic Pritchard
I note that in her response the Cabinet Member states, "the Council will maintain robust discharge arrangements that support the wider health system whether the services are provided in-house or not." Does this mean that she is responding positively to my suggestion of acting prudently when bringing Adult Social Care Services back in-house?			
<b>Answer from:</b>			Cllr Alison Born
<p><i>Cabinet took the decision to bring social care services back in house for the reasons set out in the Cabinet papers. We will, of course, exercise due diligence in all our decision making, as described in the Cabinet papers.</i></p> <p><i>(The above response was provided following the meeting).</i></p>			



<b>M</b>	<b>13</b>	<b>Question from:</b>	Cllr Karen Walker
<p>As the Peasedown St John bypass roadworks continue, I wondered about the cost of having men and vans from Hooke Highways monitoring the cones/barriers etc around the clock.</p> <p>The figure for this is £530 per day. With the roadworks started around the 2nd October and planned to last 21 days, 32 days later and still the road works are being pushed back for the 4th time until the 15-17th Nov that will mean the taxpayer has paid over £16,000 for a company to sit in their vans for the majority of the time and move the odd cone back into position when necessary.</p> <p>Residents tell us that find this an eye watering waste of taxpayers' money, and at a time when BANES tells us they are strapped for cash and need to ramp up our council tax every year.</p> <p>Obviously, I understand things don't always run smoothly and there is the odd hitch with the weather, but we feel that works could have been better managed</p> <p>Please could you explain the reasons for the delays, why such large sums of money have been spent and clarify if these could have been avoided.</p>			
<b>Answer from:</b>			Cllr Dave Wood
<p><i>Highway resurfacing schemes are programmed from April to early November to avoid the worst of the winter weather. The Peasedown St John bypass works were undertaken in Octobers 2022. The surface treatment used requires curing time before lines are reinstated. A temporary 30 mph speed limit was introduced, however we quickly identified that vehicles speeds remained a risk and took the decision to install additional traffic management to try and control the speed of vehicles along the road. With the arrangements and number of cones and signs it made sense particularly at the start to have a crew on hand to address any on site issues. Having been able to complete the road marking from Radstock to the roundabout we have a shorter length of traffic management and have reduced the ongoing maintenance with daily checks morning and evening during the week and reactive response outside these times if required.</i></p> <p><i>The additional traffic management was installed on 15<sup>th</sup> October 2022 the maintenance was reduced on 5<sup>th</sup> November 2022. Traffic Management does form a major cost element of the working on the highway and in this instance, it has had to be extended due to the</i></p>			

*weather. The daily maintenance cost forms one element of the traffic management, these checks are forecast to be significantly lower than £16,000.00, however this will be dependent on when works can be completed. The heavy rains have resulted in the delay to the completion of the lining, with staff shortages across the industry suppliers are not able to respond at short notice and we are very much reliant on hitting planned windows for getting work done. The next available dates for the road marking vehicle are in the week commencing 14<sup>th</sup> November at which time will be able to remove all the cones.*

*Lessons learned will form part of the annual review of the surfacing programme.*

<b>M</b>	<b>14</b>	<b>Question from:</b>	Cllr Jess David
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What progress is the council making to increase the frequency of road drains and gully clearing. Please provide figures on the number of gullies cleared for each of the last 3 years. (2019/2020, 2020/2021 and 2021/22) and anticipated service level in 2022/23.

<b>Answer from:</b>	Cllr Dave Wood
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*These are the number of inspections completed by gully tankers since 2019:*

<i>2019/20</i>	<i>10,923</i>
<i>2020/21</i>	<i>14,852</i>
<i>2021/22</i>	<i>21,251</i>
<i>2022/23</i>	<i>14,246 this to the end of October, on a pro rata basis this suggests a year-end total of 24,422</i>

<b>M</b>	<b>15</b>	<b>Question from:</b>	Cllr Joanna Wright
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At September's Cabinet I asked a question about the safety of drinking water along the canal, near Grosvenor Bridge. The response given by Cabinet Members stated that "The CRT does not have an obligation to provide a drinking water supply to the transient population which moors temporarily at this location. The moorings are intended to be used by boaters for a maximum of two weeks, after which time they are required to move on. The CRT has noted the difficulties frequently encountered in ensuring boaters comply with the two-week limit and feel that the provision of a drinking water supply at this location would only make matters worse."

Is the Council aware that the drinking water capacity on a typical narrowboat does not allow the “boater” to hold water for 2 weeks?  
Can you therefore please qualify the term “transient population and boaters” and whether this statement is in line with the equalities act of 2010 and could this be seen as discrimination and failure to allow people to receive a basic human right - drinking water?

**Answer from:**

Cllrs Dine Romero and Tim Ball

*The transient population referred to are the boaters who are only permitted to stay at that location for two weeks by the C&RT. The C&RT are not obligated to provide a drinking water supply at this location. There are drinking water supplies provided further along the canal towards the lock adjacent to Sydney Buildings and further back near the George Inn at Bathampton.*

*(Note: The above response was sent within 5 working days of the meeting.)*

**M**      **16**

**Question from:**

Cllr Joanna Wright

Since you have become Leader, please can you provide full details of how many times Political Officers at B&NES have received emails from senior Officers disseminating information to all Councillors?

**Answer from:**

Cllr Kevin Guy

*Any communications that are intended for all Councillors, are sent directly to ‘All Councillors on Exchange’ using an email mailing list, so that they all receive it. They are not sent to Political Assistants to disseminate.*

**M**      **17**

**Question from:**

Cllr Joanna Wright

Please can you give a full cost of restoring Cleveland Bridge, with appropriate break down in expenditure?

<b>Answer from:</b>		Cllr Manda Rigby
<p><i>Originally built-in 1826, Cleveland Bridge is a Grade II* listed structure of unique construction, possessing architectural, historic and cultural values. It is an important strategic river crossing within Bath and a crucial link for the city. Various structural modifications have been carried out to the bridge throughout its lifetime, which have resulted in a complex structural arrangement that presents a unique set of challenges in terms of structural assessment, maintenance, and operation. The structure is monitored in line with all expected requirements of the Highway Authority and the required legislation.</i></p> <p><i>Additional challenges have occurred during the refurbishment scheme, such as the impact of the Covid 19 pandemic and the additional deterioration of the structure that were not able to be identified when the £3.8m funding bid was submitted to DfT in October 2019.</i></p> <p><i>Once the works started on site the scaffold was erected and concrete started to be removed. The extent of concrete repairs was significantly worse than previously identified in the initial surveys carried out by rope access. This required additional temporary supports to be designed and installed to maintain the structural integrity of the bridge while the repairs were undertaken. Further deterioration was identified with the Hangers Bars requiring detailed assessment, leading to a monitoring system being installed to enable continued safe use of the bridge.</i></p> <p><i>The additional works are forecast to cost an additional £3.0m over the original bid. The additional costs of the project will be covered from the CRSTS Maintenance Challenge Fund with WECA and DfT agreement. Final account assessments are continuing, and detailed breakdowns will be available when these have concluded.</i></p>		
<b>M</b>	<b>18</b>	<b>Question from:</b>
		Cllr Robin Moss
Is the Cabinet member confident in the financial stability of private sector residential care providers?		
<b>Answer from:</b>		Cllr Alison Born
<p><i>In the current climate I don't think any business would be able to assert that they could assure financial stability. Our commissioners remain in regular contact with all providers and have been able to use the significant proportion of the funds made available this year to support the social care reforms to give providers an additional one-off uplift of 1% to respond to the cost of living increases.</i></p>		

*However, as costs escalate, we do expect to see further pressures in the sector as they continue to struggle with challenging recruitment, high fuel bills and escalating everyday living costs. B&NES does work with a number of small local providers, and this will mean they have few resources to fall back on. We are, as most sectors, doubtful of any further help to meet the needs of sustaining quality provision. However, more positively, the close working relationship we have with our providers does mean they feel able to discuss these matters with us and regular contract management sessions suggest providers are continuing to take a cautious approach to this winter.*

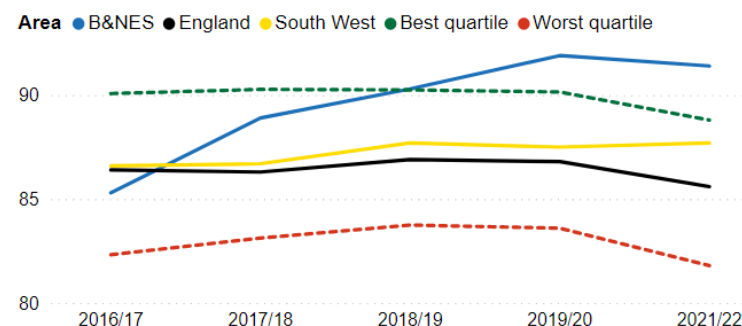
<b>M</b>	<b>19</b>	<b>Question from:</b>	Cllr Robin Moss
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Is the Cabinet member confident in the quality of care being provided in the care sector?

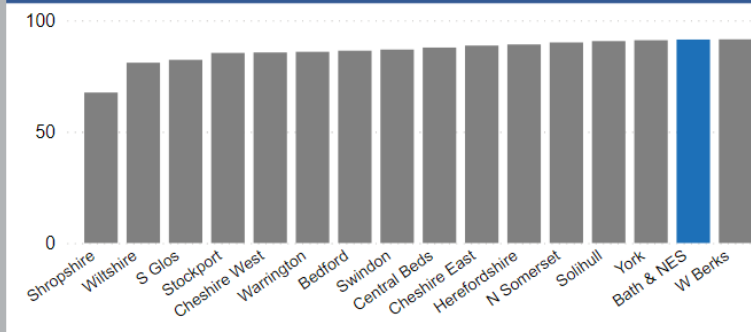
<b>Answer from:</b>	Cllr Alison Born
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*Over the pandemic period we have seen an increase in safeguarding concerns, and this has been true for B&NES and all local authorities across the country. This is perhaps not surprising based on the staffing shortages due to sickness and recruitment difficulties and the overall strain of the pandemic/epidemic which remains a continuing challenge for our providers. However, in comparison to other areas B&NES have retained a positive picture with 91.4% of users stating that our services have made them feel safe and secure. (ASCOF Measures).*

% of users who say that those services have made them feel safe and secure (4B) trends



B&NES performance compared to CIPFA near neighbours 2021/22



*Equally so we have not seen a significant downturn in providers being rated good or outstanding in B&NES. Providers have maintained a good national ranking with 82.5% of homes rated good or outstanding. However, the cost of living rise is now a further challenge for our providers and officers will be continuing to offer high levels of support to enable, recruitment, training, managing the cost of living pressures and wider measures. Suzanne Westhead, our Adult Social Care Director, is leading on a BSW Academy to support recruitment particularly amongst providers of domiciliary care and we will continue to closely support our providers to retain good quality care for B&NES residents.*

**M**

**20**

**Question from:**

Cllr Robin Moss

Is the Cabinet member aware of any acute labour shortages in the residential sector, including any issues around recruitment and/or retention?

**Answer from:**

Cllr Alison Born

*Recruitment in both the domiciliary and residential sector remains a significant pressure for our care providers. Officers have been tracking the on-going vacancies that providers are experiencing. All sectors are experiencing difficulties retaining and recruiting front line staff, but the care and health sector are particularly struggling to meet requirements for staffing. This is leading to higher reliance on agency staff or homes choosing to close beds so that they can retain the quality of care for B&NES residents.*

*Suzanne Westhead is the South West Lead for the Association of Directors of Adult Social Services (ADASS) and is leading on a BSW Academy to support domiciliary care recruitment. There is ongoing work with our internal provision, providers and with the wider sector to support recruitment during this challenging time.*

*Between the spring and summer of this year, providers did report gaining some ground, reducing care staff vacancies from 12.53% to 10.16, but on-going rounds of covid sickness amongst staff also presents a challenge. Officers will be continuing to support providers to find creative and ongoing approaches to recruitment. In addition, the development of the Council's strategies to address health inequalities and economic issues will be critical to responding to the underlying conditions.*

*For in house services there continues to be high level of agency use across the CRCs, main issues in recruiting qualified nurses are the grades of pay which do not benchmark well against NHS pay scales and the hours offered for shifts. Actions being taken include focused recruitment campaigns, easier recruitment processes, such as paper-based applications, offering agency staff permanent employment, use*

*of apprenticeships and reviewing shift patterns. Work is also ongoing to move to values-based recruitment with a comprehensive induction and training programme. The recent pay award will see the hourly rate offered to staff increase to a competitive level across the market.*

## QUESTIONS AND ANSWERS - PUBLIC

<b>P</b>	<b>01</b>	<b>Question from:</b>	Joe Scofield
<p>In May this year, residents of Southdown attended the Southdown Liveable Neighbourhood Workshop, where we were split into five groups. None of the five groups were in favour of modal filters being installed on Mount Road.</p> <p>Yet we've had a hard time getting that message across to the facilitators, Aecom.</p> <p>At the Workshop we saw the lead consultant refuse to publicly accept that no group had been in favour of modal filters. We were then shocked to see that modal filters were still on the plan at the subsequent exhibition.</p> <p>We've had people formally complain to the council's Chief Executive Officer over this. And we've provided photographs of the schemes drawn by each of the five groups at the Workshop, to prove that no group had wanted modal filters.</p> <p>Can we now have official confirmation that modal filters will not be installed on Mount Road in accordance with the results of the Workshop?</p>			
<b>Answer from:</b>			Cllr Sarah Warren
<p><i>Consultants AECOM made a transcription error in the draft workshop output report, which was then reflected in the exhibition boards. The erroneous modal filter between Mount Grove and Roundhill Grove has now been removed from the report, and this will be reissued on our website shortly.</i></p>			

P	02	Question from:	Chris Allsop
All householders were given a council tax energy rebate earlier this year by the Government if they lived in properties in Bands A to D. Please can you give full details of how many residents complained about the process to receive this funding?			
Answer from:			Cllr Richard Samuel
<i>There were 19 complaints logged for energy rebates from April to September inclusive. One was ineligible (Band E) and the rest were categorised as “not upheld” as paid by deadline of 30/9/2022.</i>			
<i>To give some scale, at the end of September the direct payment and Council Tax (CT) account credited figures for B&amp;NES were:</i>			
<i>Direct payments        £7,915,800    52,772</i>			
<i>Credited to CT        £1,230,300    8,202</i>			
<i>                              £9,146,100    60,974</i>			
 <i>Govt Allocation        £9,125,700    60,838</i>			
<i>Left/overspend        -£20,400       -136</i>			
<i>Once the reconciliation is completed, HMG will recompense any overspend.</i>			
<i>Since 30/9/2022, we have been refunding £150 from Council Tax accounts to residents on request where their energy rebate was credited.</i>			
P	03	Question from:	Chris Allsop
At September's Cabinet Meeting I asked the following question:			
In recent documentation on a planning application that was given approval by B&NES Council, it was agreed permission was granted on the			



understanding that the developers would keep within strict conditions set out to protect the thoroughfare of Bailbrook Lane and the adjacent environment. It would appear that the lane has been damaged when the services were installed on the site and that displaced rubble and soil are now encroaching on the narrow roadway. What investigations has B&NES Council taken on this matter? How will B&NES deal with this developer?

And had this answer:

It is not clear which planning application or site this question relates to. Any breach of planning permission, and its conditions, will need to be investigated by reporting it to Planning Enforcement. The resolution will depend on the particular circumstances of the breach. In this case it appears that utility providers may be involved rather than the council.

**The Planning Application was 22/01829/COND Bailbrook Lane - please can I now have an answer to my original question?**

**Answer from:**

Cllr Tim Ball

*The site visit did not reveal any debris in the road. However, the bank appears to be slipping towards the highway. The bank will be removed to create layby pre-occupation so this matter will be resolved shortly. However, the officer has contacted the site manager to remind them of responsibilities in case the bank situation worsens in the meantime. The case was closed 8<sup>th</sup> September with no further action planned.*

**P**

**04**

**Question from:**

Chris Allsop

The Council has recently decided to replace sodium lights to warm white LEDs. What research has the Council undertaken to understand the impact this change is having on wildlife, in particular on critters and bats that move around at night?

**Answer from:**

Cllr Dave Wood

*The Street Lighting Team work alongside the BANES Ecology Team and refer to technical documents produced by the Institution of Lighting Professionals, Public Health England, various universities and others. An example technical document is the joint guidance provided by the Institution of Lighting Professionals (ILP) and Bat Conservation Trust and their joint guidance Bats and Artificial Lighting in the UK –*

*Bats and the Built Environment.*

*Research so far indicates that the warmer LED lights with colour temperature range 2700 to 3000 degrees kelvin contain a reduced blue light component and cause less impacts on bats and insects. Other recommended mitigation includes dimming of streetlights during off peak periods and providing shielding to sensitive areas.*

<b>P</b>	<b>05</b>	<b>Question from:</b>	Grace Wiltshire
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How many adults have taken part in bikeability training provided by the Council in the last year?

<b>Answer from:</b>	Cllr Sarah Warren
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*Last financial year, the BANES cycling instructor team trained 5 adults. Our main priority at present is school cycle training and out-of-school cycle training for children, in line with the Bikeability fund's priorities. We are looking to increase cycling instructor numbers and adult cycling provision from April 2023, assuming our bid for capability funding for that purpose is successful.*

<b>P</b>	<b>06</b>	<b>Question from:</b>	Grace Wiltshire
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How much did the recent street tree project consultation cost, compared with the cost of trees planted, and will you be authorising a further consultation for the next 94,900 trees you have committed to plant?

<b>Answer from:</b>	Cllr Dave Wood
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*The Street Trees Project online consultation did not have a dedicated budget and was managed within existing staff resource.*

*We have submitted a grant application to the DEFRA-backed Trees for Climate Grant to fund the planting of the trees and their establishment maintenance for a period of 24 months. Subject to the consultation review and confirmation of the grant agreement, the trees will be scheduled for planting during the 2022/2023 planting season.*

*We consult the public on Council led tree planting projects using different methods, including online, letter drops, email, posters, and via resident associations and friends' groups.*

*The 100,000 tree planting target set in 2019 following the declaration of Climate and Ecological emergencies is a district wide ambition and a leadership role. This includes Council led-planting projects on Council land, including in parks and open spaces, but also includes tree planting by our partners.*

*The current total figure for tree planting in the BANES district since 2019 totals 65,958 and is forecast to be 100K by Spring 2023, as reported in our Tree and Woodland Delivery Plan.*

<b>P</b>	<b>07</b>	<b>Question from:</b>	Grace Wiltshire
BANES Council have local powers over planning decisions across the district. Can you therefore explain why this Council has agreed to take part in the 'Investment Zones' which will allow planning rules to be removed from the Council's powers?			
<b>Answer from:</b>			Cllr Mark Roper
<p><i>The Council will always investigate any opportunities that could attract new investment to the area, supporting businesses and encouraging high-quality new jobs. However, whilst it's right that we explore these possibilities, we will be seeking assurances about the potential impacts of these proposed Investment Zones - particularly on environmental protection and planning - before we make any final decisions. Protecting nature is key to tackling the climate and ecological emergency and promoting biodiversity and green space is central to our plans for green renewal and sustainable economic development.</i></p> <p><i>The Council is waiting for further details of the Investment Zones to be released by the government, as the situation is fluid, and the Council reserves the right to withdraw its participation in the Expression of Interest if the proposed changes in planning and environmental legislation could have an adverse effect on B&amp;NES planning, climate emergency and ecological emergency policies for the areas concerned.</i></p>			

<b>P</b>	<b>08</b>	<b>Question from:</b>	Emma Hooper
How many panellists of the Active Travel in Bath and North East Somerset Citizens' Panel had no access to a car; and how many of those were under 34?			
<b>Answer from:</b>			Cllr Sarah Warren
<i>The Council does not hold car-ownership information in such detail. However, we know panellists used a mix of typical modes of travel (p9 of report). There were six panel members under the age of 34 (p9 of report).</i>			
<b>P</b>	<b>09</b>	<b>Question from:</b>	Emma Hooper
How many of the panellists of the Active Travel in Bath and North East Somerset Citizens' Panel were parents of primary-school aged children? And how many of them were parents of secondary-school aged children? Could you please specify which secondary schools?			
<b>Answer from:</b>			Cllr Sarah Warren
<i>The Council does not hold that information in such detail. We know the panel contained parents of school age children (quotes from panellists p14, 22, 24 of report).</i>			
<b>P</b>	<b>10</b>	<b>Question from:</b>	Emma Hooper
How many of the panellists of the Citizens Panel were either a student or staff member at the University of Bath or work for any other employer or education provider based on the Southern plateau?			
<b>Answer from:</b>			Cllr Sarah Warren
<i>The Council does not hold that information. The Panel is completely anonymous which includes their work history.</i>			

<b>P</b>	<b>11</b>	<b>Question from:</b>	Saskia Heijltjes
<p>At Septembers' Cabinet Meeting, Cllr Joanna Wright asked a question about the use of positive language on signage etc for those cycling and the following response was given:</p> <p>"Whilst we are striving to provide separate infrastructure for both pedestrians and cyclists, in many cases this is not possible due to width constraints. In cases where pedestrians and cycles share space, we will use signage to inform people on bicycles that they need to be respectful of people walking, by reducing their speed and not causing any anxiety."</p> <p>We understand the proposed Scholar's Way scheme includes sections where people walking and cycling will be sharing the same space. Cycle infrastructure design guidance LTN 1/20 advises the following: "Conversion of existing footways to shared use should only be considered when options that reuse carriageway or other (e.g. verge) space have been rejected as unworkable."</p> <p>Could you please clarify how much distance of the proposed Scholar's Way route would be using shared use paths and pavements?</p>			
<b>Answer from:</b>			Cllr Sarah Warren
<p><i>The proposed Scholars' Way (phase 1) between the University of Bath and St Martin's Garden Primary School is approx. 5.62km in length. Approximately 61% of the route is on highway, 26% is via an existing restricted byway or cycleway (i.e. motor vehicles excluded), 8% is proposed as a new shared use path (not an existing footway), 3% comprises footway widening to provide for shared use, 1% is a new segregated cycleway and 1% involves the conversion of an adopted footway (comprising a class 6 highway) into a shared use path. In summary, just 4% of the scheme involves the use of existing footways (which will be widened) and converted footpaths.</i></p>			
<b>P</b>	<b>12</b>	<b>Question from:</b>	Saskia Heijltjes
<p>The Council recently released a cabinet document regarding the B&amp;NES Liveable Neighbourhoods program, which it said is being delivered as part of the CRSTS funding. The CRSTS Liveable Neighbourhoods program placed a commitment for all the funding to be used to deliver through traffic reduction measures only and this was agreed by council leaders and the metro mayor.</p> <p><a href="https://democracy.bathnes.gov.uk/documents/s74050/Liveable%20Neighbourhoods%20Update%20Report.pdf">https://democracy.bathnes.gov.uk/documents/s74050/Liveable%20Neighbourhoods%20Update%20Report.pdf</a></p>			

Please can you provide a strategic map of the through traffic routes for B&NES?

**Answer from:**

Cllr Sarah Warren

*The main through traffic routes in Bath are identified by the classified road network, and this hierarchy of routes present the key links into the wider transport network.*

**P 13**

**Question from:**

Saskia Heijltjes

Recent research has shown that PM2.5 particles are having an impact on people's health, particularly in regards to lung cancer. As EVs generate PM2.5 in their break and tyre wear, could you please clarify what proportion of the Council's budget is spent on EV facilities compared to spending on active travel projects?

<https://www.theguardian.com/science/2022/sep/10/cancer-breakthrough-is-a-wake-up-call-on-danger-of-air-pollution>

**Answer from:**

Cllr Sarah Warren

*Mounting scientific evidence shows PM2.5 represents a danger to public health through air pollution. However, there are multiple sources of PM2.5 in our local environment, including wood fires, industrial emissions, and traffic. The popularity of larger, heavier SUV-type private vehicles has no doubt contributed to the increasing greenhouse gas (GHG) emissions of the transport sector, as well as the PM2.5 emissions from associated increases in tyre wear and brake use. However, EVs do benefit from regenerative braking which slows vehicles without creating PM2.5 emissions, but EVs generally still have relatively high vehicle weight. All these factors show that associating PM2.5 generation with EVs only is invalid, and all road traffic must be held accountable.*

*B&NES fully supports the sustainable transport hierarchy which places private vehicle use as the least preferred transport option and active travel as the most favoured. Consequently, we are enabling active travel through new infrastructure and behaviour change programs. In the short to medium term some private vehicle travel is inevitable, especially for residents in more rural areas. In these cases, EVs are favoured as they produce zero tailpipe emissions, benefiting local air quality, and reduced operational phase GHG emissions, reducing climate change impact. To support the adoption of EVs we are building the Revive public charging network in collaboration with the West of England local authorities.*

*B&NES budget information 2022/23:*

*Revenue budget (gross spend before taking account of income): £364m*

*Capital budget (total fully approved spend): £96.1m*

*Active Travel budget: £1,200,000*

*Go Ultra Low West (GULW) electric vehicle charging infrastructure budget: £269,741*

<b>P</b>	<b>14</b>	<b>Question from:</b>	Barbara Gordon
<p>The recent planning application for Waterworks Cottage has left many residents frustrated at the planning process. Hundreds of residents repeatedly took part in opposing the application to build houses on the land and further opposed Waterworks Cottage being demolished. However, Waterworks Cottage is now to be demolished apparently without any necessity for prior approval. What action is the Council taking to review this case and to instigate the necessary changes through the planning process and local plan update to prevent a similar event taking place again?</p>			
<b>Answer from:</b>			Cllr Tim Ball
<p><i>The demolition of unlisted buildings outside of the conservation area, such as Waterworks Cottage, does not require an application for planning permission; this is national legislation which the council has no control over. National legislation in fact goes further and grants full planning permission for demolition work of this nature and specifies that the only matters that the council may control (if deemed necessary) is the method of demolition and the nature of the site's restoration; this is controlled through the so-called Prior Approval process.</i></p> <p><i>The Prior Approval process cannot be used to resist the principle of demolition. In this case Prior Approval was not required as the Council was content with the details submitted in respect of demolition and the site restoration. The Council is unable to make any changes to the planning process and/or the local plan because, as stated, this is national legislation.</i></p>			
<b>P</b>	<b>15</b>	<b>Question from:</b>	Barbara Gordon
<p>Please can you give full data on the use of hop on/hop off VOI e-scooters in the Lambridge area, including age and gender in the last 6</p>			

months?			
<b>Answer from:</b>		Cllr Sarah Warren	
<i>Data collected for the Hop On Hop Off scooter service is not disaggregated to the level of Ward area. That is to say while we collect data and disaggregate to the Bath area, it is not broken down further to specify journeys in the Lambridge area, by age, gender, etc.</i>			
<b>P</b>	<b>16</b>	<b>Question from:</b>	Dominic Tristram
Bath seems saturated with ‘AirBnBs’. This has the result of increasing the cost of homes for people working and living in the city as properties are bought-up as short-term rental investments. Is the Council looking into measures, such as a ‘tourist tax’, so a levy can be charged on tourists staying the night in Bath?			
<b>Answer from:</b>		Cllr Kevin Guy	
<i>The Council has directly lobbied central government for its support to consider a tourist tax, for this to implemented new legislation would need to be passed through central government to give Councils the ability to implement as this would be a new form of government collected tax.</i>			
<b>P</b>	<b>17</b>	<b>Question from:</b>	Dominic Tristram
Please can you give comparison figures for the amount of money paid by the council to Volker for Highways Maintenance work for the last full year in which figures are available compared to the cost to the council for performing the same services in the last full year when they were performed in-house?			



<b>Answer from:</b>		Cllr Dave Wood
<p><i>The amount of money paid to Volker in the 2021/22 financial year was £13.4 million. This included Highway Maintenance, Improvements &amp; Public Realm schemes.</i></p> <p><i>The Council has not performed an in-house Highway Maintenance Works Service for approximately 25 years and would not have the information requested which would be 25 years old.</i></p>		
<b>P</b>	<b>18</b>	<b>Question from:</b> Dominic Tristram
Please could you specify: the scoring criteria used in the tendering process in which Volker won the contract, whether there was a bid to do the work 'in house', and if so, the scoring given to the in-house bid and/or the reason why it did not win the contract?		
<b>Answer from:</b>		Cllr Dave Wood
<i>Volker Contract commenced in April 2019 and was awarded on Quality/Price based tender 60/40% weighting. There was no “in-house” bid.</i>		
<b>P</b>	<b>19</b>	<b>Question from:</b> Kathy Beadle
<p>In August 2022, Edinburgh City Council agreed to the 10 recommendations given to the Council by the review into the city's links to historical slavery, including agreeing to apologise for the suffering caused through the city's involvement with slavery. Will you, as Leader of B&amp;NES council, be setting up an enquiry into historic links to slavery in Bath and North East Somerset?</p> <p><a href="https://www.theguardian.com/uk-news/2022/aug/30/edinburgh-to-apologise-over-historical-links-to-slavery?CMP=Share_iOSApp_Other">https://www.theguardian.com/uk-news/2022/aug/30/edinburgh-to-apologise-over-historical-links-to-slavery?CMP=Share_iOSApp_Other</a></p>		

<b>Answer from:</b>		Cllr Kevin Guy
<p><i>The appalling history of Bath's relationship with the transatlantic slave trade has been revealed and highlighted more and more in recent years, thanks to the work of our local communities, researchers and many others. The council has organised a webinar on this topic with panelists discussing the role the area played in the slave trade and its historic legacies, including in architecture and institutions.</i></p> <p><i>"Recently, the Bath Record Office has taken part on a project, funded by The National Archives Testbed Fund, which addresses Bath's links with colonialism and the transatlantic slave trade and produced valuable research tools. Information about this project can be found at <a href="https://bathandcolonialism.org/">https://bathandcolonialism.org/</a>.</i></p> <p><i>The council will continue to support important initiatives such as these.</i></p>		
<b>P</b>	<b>20</b>	<b>Question from:</b> Kathy Beadle
<p>The important undertaking of the Charter Trustees and the Lord Mayor recently has meant that the bike racks usually in place outside the Guildhall, Bath have not been in their usual location for many months. Please can you explain what measures are being put in place to support residents to park bicycles securely in front of the Guildhall, particularly as many people use this means of transport to reduce congestion, pollution and emissions, in line with the Council's Corporate Strategy?</p>		
<b>Answer from:</b>		Cllr Sarah Warren
<p><i>One Sheffield stand was removed because it was hit by a vehicle and 2 more were removed because the fixings had loosened making them unsafe. There has been a problem finding the best fitting for regular removal. They are bolted down, but the bolts work loose. Highways will look at finding a solution and get them reinstalled after Remembrance Day.</i></p>		
<b>P</b>	<b>21</b>	<b>Question from:</b> Kathy Beadle
<p>Does the Council have data on how many residents are on prepayment meters to pay for their fuel? If so, what are the Council doing to support residents in paying the extra costs that prepayment meters incur for residents?</p>		

<b>Answer from:</b>		Cllr Richard Samuel
<p><i>The Council does not know how many residents are on pre-payment meters. This information may be held by individual energy suppliers, but the Council does not have access to this information.</i></p> <p><i>Over the last two years the Council has provided Citizens Advice Bath and North East Somerset with a total of £325,000 in support of their fuel voucher scheme, supporting 1964 households. This is predominantly for the benefit of residents who are on pre-payment meters. Residents can access this scheme through the Community Wellbeing Hub and through partner organisations such as the Council's Welfare Support Team.</i></p> <p><i>In addition to the contribution to the Citizens Advice scheme the council has directly provided a total of £826,000 to residents in energy support over the last two years and will shortly roll out a scheme to deliver a further £500,000 to support residents with energy costs this winter. These schemes have also benefitted residents who pay by pre-payment meter, although data on how residents pay for their energy was not collected. These council run schemes have supported approximately 3900 households.</i></p>		
<b>P</b>	<b>22</b>	<b>Question from:</b> Sam Ross
<p>The health and resilience of our water courses is under threat from development, from roads, from some farming practices and from poor management and infrastructure of our water and sewage systems...“What work is the executive currently pursuing - &amp; with which partners - to ensure nature-based solutions are being put in place to ensure our water courses are healthy &amp; resilient &amp; that damaging practices are being brought to a halt?”</p> <p>“What work is the executive currently pursuing to reduce the cumulative pressure from development on our water and sewage systems”</p>		
<b>Answer from:</b>		Cllr Tim Ball
<p><i>We are founding members of the Bristol Avon Catchment Partnership which is leading work in this area. I would recommend Sam Ross reviews the <a href="https://www.bristolavoncatchment.co.uk/">https://www.bristolavoncatchment.co.uk/</a> and action plan to see the excellent work being taken forward by B&amp;NES and partners to address the issues raised.</i></p>		

<b>P</b>	<b>23</b>	<b>Question from:</b>	Sam Ross
Presently the charge at B&NES Rapid EV chargers is 45 pence per unit. Whereas a resident using a home charge can obtain a unit at 17 pence. How much income does the Council receive of the 45p per unit, compared to the third party that provides the charger?			
<b>Answer from:</b>			Cllr Manda Rigby
<p><i>B&amp;NES rapid EV chargers are operated by the Revive network, which is run by the West of England local authorities (B&amp;NES, BCC, SGC &amp; NSC). The Revive charging network is a not-for-profit organisation, choosing to use any operating profit to expand and develop the network, including increasing social equity of EV charging access. B&amp;NES does not receive an income from these Revive chargers.</i></p> <p><i>The difference in charging costs can be explained in comparison. Homeowners can charge their EV's using residential energy rates, often reduced in cost to reflect access only at times of low energy demand. Public rapid EV chargers use business energy rates, more expensive charging equipment, and provide greater utility through a much higher rate of charge and 24-hour operation.</i></p> <p><i>Recent volatility in the energy sector has brought unprecedented high energy costs. Revive network are choosing energy supply and charging tariff options to minimise financial impact on their users.</i></p>			
<b>P</b>	<b>24</b>	<b>Question from:</b>	Sam Ross
Active Travel England have recently sent all Local Authorities a capability assessment, which will determine Dept for Transport funding streams going forward. Please can you give full information on what direction you as the lead Cabinet Members have made on this, including how you intend to improve the B&NES part of WECA's yearly score on a yearly basis?			
<b>Answer from:</b>			Cllrs Sarah Warren and Manda Rigby
<p><i>The response to Active Travel England's self-assessment questionnaire was jointly compiled by officers from across the West of England (WECA), scoring the region as a whole at 'Level 2', meaning that "we have strong local leadership and support, with strong plans and an emerging network". We understand that most authorities nationwide are likely to score at level 1 or level 2 this year.</i></p>			

## **Appendices**

Appendix 1 – John Palmer MP 1742-1818 by Circle of William Hoare

Appendix 2 – W.T. Blair, Mayor of Bath, 1838 by Edward Kilvert