

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 13th September, 2011

**Present:-** Councillors Marie Longstaff (Chair), Caroline Roberts (Vice-Chair), Malcolm Hanney, Neil Butters, David Martin, Douglas Nicol and Anthony Clarke (In place of Geoff Ward)

**Also in attendance:** Glen Chipp (Strategic Director for Service Delivery), Kate Hobson (Waste Management Officer), Matthew Smith (Divisional Director for Environmental Services), David Trigwell (Divisional Director for Planning and Transport), Adrian Clarke (Transportation Planning Manager), Peter Dawson (Planning Policy & Transport Group Manager), Andy Strong (Public Transport Team Leader) and John Crowther (Neighbourhood Services Manager)

Councillor Tim Ball – Cabinet Member for Homes & Planning

Councillor Roger Symonds – Cabinet Member for Transport

#### **15 WELCOME AND INTRODUCTIONS**

The Chairman welcomed everyone to the meeting.

#### **16 EMERGENCY EVACUATION PROCEDURE**

The Chairman drew attention to the emergency evacuation procedure.

#### **17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Geoff Ward sent his apologies to the Panel. He was substituted at the meeting by Councillor Anthony Clarke.

#### **18 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

#### **19 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

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

Councillor Eleanor Jackson addressed the Panel, a summary of her statement is set out below and a full copy can be found on the Panel's Minute Book.

She said that dealing with B&NES Council seems to be like standing on a sandcastle as the tide inexorably rolls up the beach, you dig as hard as you can to defend one side while another side crumbles away. She stated that she was greatly concerned about the bus services to Radstock and the amount of heavy traffic because of the ill conceived Traffic Regulation Orders (TROs) which will result in two way traffic in The Street.

She added that Don Morris, CEO of RADCO had also contacted her to complain about the loss of takings.

She concluded by calling upon the Panel to ask the current administration about their failure to respect the principles of the Localism Bill as local people in their hundreds had objected and signed the petition against the road scheme.

Amanda Leon addressed the Panel on behalf of the Radstock Action Group, a summary of her statement is set out below and a full copy can be found on the Panel's Minute Book.

She wished to draw their attention to what she felt were the undemocratic and unprofessional practices of the Council's approach to the many planning applications and associated papers relating to the Norton Radstock Regeneration project.

She called for steps to be taken to reverse recent decisions which are apparently being driven by a set of undisclosed objectives at odds with democracy and transparency.

- The proposal to divert the A362 through the town centre has been taken out of the original planning application and is now being dealt with under the powers B&NES has as Highways Authority. This allegedly permits the road scheme to be started prior to any final decisions being made on the development plans for Radstock.
- Additionally, it apparently gives the authority the right to assume financial responsibility for a scheme in which the developer was identified as being responsible for paying for road changes.
- An application from the current would-be developer and the NRR requests renewal of the previous planning application. We believe that renewal applications can be new planning applications in disguise and that original aims and permissions may be modified and subverted by subsequent follow ups and may, therefore, be at odds with the strategic objectives that governed earlier decisions.

- B&NES, whether acting in its capacity as a highways authority, a unitary planning authority, an environmental enforcement agency or other, has a responsibility to adopt transparent consultation procedures. It has an overriding responsibility to reflect the needs and aspirations of the electorate to whom it is accountable. We have found it increasingly difficult to obtain any information as to who is in overall control of the planning situation in its many forms in Radstock, with officers and elected councillors giving opposing views and interpretations of what is going on.

She urged the panel to step in to ensure that planning processes are not brought into disrepute and that public confidence can be restored in all areas of consultation.

The Chairman asked for the statement to be passed to the Director of Development & Major Projects and the Divisional Director for Planning and Transport for them to respond.

## **21 MINUTES - 26TH JULY 2011**

The Panel confirmed the minutes of the previous meeting as a true record following an amendment from Councillor David Martin. He requested that a question of his in relation to Item 10 (Food Waste Recycling Collections Update) be included.

The question was as follows 'is there any possibility of using anaerobic digestion for food waste treatment in the future?' The Waste Services Manager replied that it was one option they may well seek further information on.

This amendment was agreed by the Panel and the minutes were duly signed by the Chairman.

## **22 DRAFT BATH PARKING STRATEGY**

The Transportation Planning Manager gave a presentation to the Panel in relation to this item, a full copy of which is on the Panel's Minute Book. A summary is set out below.

Aims:

- » Improve quality of life
- » Reduce need to travel into city centre by car
- » Consistent with JLTP3, Sustainable Community Strategy, Core Strategy

Objectives:

- » Manage travel demand
- » Sustain and enhance the local economy
- » Provide a balance between good public transport and short stay parking

### Parking Standards:

- » Local Plan Parking Standards
- » Development will only be permitted if an appropriate level of on-site servicing is provided having regard to:
  - » Maximum parking standards
  - » Proposed use
  - » Environmental capacity
  - » Accessibility by sustainable transport
  - » Availability of parking nearby

### Off Street Parking:

- » Long Stay – Park and Ride providing for future economic growth (4,000+) jobs in Bath City Riverside by 2026)
- » Medium/Short Stay – City Centre maintained at existing levels

### Other issues considered:

- » Business permits
- » Disabled parking
- » Parking standards
- » Management and enforcement

He informed the Panel that the strategy sits within the Joint Local Transport Plan 3 (JLTP3) which the Council has adopted and that a progress report on the JLTP3 will be published on September 22<sup>nd</sup>. He added that he believed the public were changing their transport behaviour and that investment was being made to support cycling and public transport.

Councillor Malcolm Hanney commented that he felt the report was more a position statement and lacked any sense of a business plan. He also asked for it to be more explicit on the future of the Council car parks.

Councillor Douglas Nicol commented that the charges in relation to Park & Ride (£3) were quite high when compared with a vehicle carrying four people choosing to park in the city centre.

The Chairman asked if a car share scheme could be devised as incentive to encourage more people to use the Park & Ride.

The Transportation Planning Manager replied that that is being considered as part of the overall strategy to reduce the number of cars on the road.

Councillor Caroline Roberts asked if the Council monitors the number of vacant Disabled Parking spaces there are during the day.

The Transportation Planning Manager replied that yes, there is an intention to carry out such a study.

Councillor Neil Butters commented that he broadly welcomed the report and believed the strategy would evolve over time through discussions with First Group. He also wished to highlight the work of the Wellow Community Bus and called for rail electrification to be progressed, with the services to Oldfield Park and Keynsham in much need of improvement.

Councillor David Martin asked if the Council had plans to install any electric vehicle charging points.

The Transportation Planning Manager replied that a proposal had been included in a bid to the Sustainable Transport Fund.

Councillor David Martin asked if the Council had considered the possibility of introducing workplace parking charges.

The Transportation Planning Manager replied that the Council currently had no such plans, but said he was aware that both Bristol and Nottingham Council were considering that as an option to aid their future transport proposals.

Councillor Caroline Roberts commented that as the Park & Ride was primarily used by commuters she felt the pricing structure fairly reflected that and there was no real need to change it. She also asked for the current timescale of the strategy.

The Transportation Planning Manager replied that parking surveys were due to be carried in October / November 2011 and he therefore proposed to bring a further draft of the strategy to a subsequent meeting of the Panel.

The Chairman asked for the report to include information on a Park & Ride to the East of Bath, timescales of the strategy, survey results and content on how the modal shift will be made.

Councillor Malcolm Hanney asked for a comprehensive financial / business plan to also be within the report.

The Chairman asked for the report to be submitted in January.

The Panel **RESOLVED** to fully agree with this proposal.

## 23 INTEGRATED TRANSPORT AUTHORITY

The Group Manager for Planning Policy & Transport gave a presentation to the Panel on this item, a full copy of which is on the Panel's Minute Book. A summary is set out below.

What are Integrated Transport Authorities?

- ITAs are the new name given to Passenger Transport Executives
- ITAs prepare Local Transport Plans and are responsible for public transport **policy** but are **not** highway authorities.

What powers might it have?

- All (or some) highways powers
- Powers to direct highway authorities
- e.g bus lanes/parking restrictions etc

Advantages

- Historically higher levels of spending on public transport services and infrastructure.
- Power to raise a levy.
- Greater co-ordination of transport network across the whole of the ITA area.
- Single voice with Government and support through the Passenger Transport Executive Group.

Disadvantages

- Additional tier of bureaucracy with large numbers of staff.
- Levy added to Council Tax.
- Inequity of all areas (rural to inner city) paying the same levy.
- No scrutiny arrangements.
- Separation from Planning Authorities particularly on land use planning.
- Exposure to financial risks.

What funds might it have?

- ITA are levying authorities not precepting authority
- Will an ITA come with a bill?
- Will an ITA come with a cheque?

What is the process for creating an ITA?

- 2 or more Local Authorities can commence a review
- A review could take a year
- Secretary of State approval with statutory consultation could take a further year
- Establishing an ITA itself could take a further year

Do we need an ITA?

- We have a fully constituted Joint Committee
- Department for Transport want to talk to us
- Department for Transport want to fund our initiatives e.g. Greater Bristol Bus Network, Smartcard, Local Sustainable Transport Fund & Cycle City (in Bristol & South Gloucestershire)
- Would an ITA give us greater voice over rail?

He informed the Panel that a report on the ITA would be discussed at the West of England Joint Committee on September 22<sup>nd</sup> 2011. The report is available via the link below.

<http://www.westofengland.org/media/224249/item%206%20jtec%20transport%20powers%2020911.pdf>

He added that Bristol had previously shown an interest in forming an ITA, but no other Local Authority had.

Councillor Charles Gerrish commented that a previous Panel of the Council had discussed this matter and were unanimously against the idea.

Councillor Caroline Roberts commented that she did not believe the whole of B&NES would benefit from an ITA and that she was concerned about the Council losing its highway powers.

The Panel **RESOLVED** to thank the officer for his presentation and asked to be updated when appropriate on any developments.

## **24 SUBSIDISED BUS SERVICES BRIEFING**

The Public Transport Team Leader introduced this item to the Panel. He informed them that the average subsidy per passenger was around £1.50 and there were 20 operators throughout the Council. He added that the service had seen a 6% increase in passengers from 09/10 – 10/11 where as the national average was only around 1% - 2%.

He highlighted that most bus services (roughly 85% of the total) outside London are operated on a commercial basis, i.e. the operator decides where and when to run, then sets fares to cover the operating costs to bring in a profit. The Council has no control over commercial bus services, other than the general powers of a highway authority.

The Chairman commented that she felt this was a very important point to make clear as it was often misconceived that the Council had more power on this matter.

Councillor Malcolm Hanney asked for a breakdown of the routes and their subsidies and commented that he hoped that all the current services would remain in place.

Councillor David Martin asked what degree of control the Council had over the type of buses that were used on services.

The Public Transport Team Leader replied that the Council could specify the actual type of bus if it wished to on any contracted service.

Councillor Neil Butters asked if the Council had been affected by the reduction in reimbursement rates to bus operators for concessionary fares in April 2011.

The Public Transport Team Leader replied that the Council had seen no overall affect and was expecting fresh Government guidance on the matter very soon.

Councillor Douglas Nicol commented that he felt it was vital for bus travel to be as inexpensive as possible. He also asked who monitors the patronage and revenue data that is supplied on a monthly basis.

The Public Transport Team Leader replied that this was done by his service area.

Councillor Douglas Nicol asked why the monitoring of contracted services only took place on an *ad hoc* basis.

The Public Transport Team Leader replied that there is not a specific resource for carrying out monitoring, so it is done by officers and casual staff.

The Panel **RESOLVED** to note the briefing.

## **25 CORE STRATEGY - PROPOSED CHANGES TO THE SUBMISSION DOCUMENT**

The Divisional Director for Planning and Transport introduced this item to the Panel. He explained that he felt that housing delivery contingency was probably the most important element under examination by the inspector. He added that this should not be seen as an opportunity for Members to make significant changes to the Core Strategy, but if they did choose to it would require the current strategy to be withdrawn.

He said he was happy to respond to the inspector on the Council's wishes for their plans for housing delivery to be made on brownfield sites first, however he stressed there could be some difficulty if no contingency plan is shown to be in place. He added that the danger would be if the Council did not provide a contingency plan at this stage it may be directed to by the inspector at a later date and this would cause a delay in implementation.

He stated that the contingency plan would only be brought forward if the Council were failing to deliver the appropriate number of houses, say 1,000 houses behind schedule after five years.

The Chairman commented that she maintained a major reservation over the use of any Green Belt land.

Councillor Charles Gerrish addressed the Panel. He called for the Panel not to approve the recommendations within the report and suggested that citing an inability to progress the Community Infrastructure Levy (CIL) was misleading. He added that the Council must be mindful not to choose a contingency site that would be isolated and therefore have a lack of community services.

The Divisional Director for Planning and Transport replied that the report had been written in response to questions raised by the inspector. He added that the Council had every reason to be confident of passing the examination given the development currently underway at Bath Western Riverside.



On the matter of a contingency site he stated that all of the options would provide some degree of difficulty, but that it was felt that Hicks Gate would provide the least.

Councillor Caroline Roberts commented that she believed no Green Belt site should be built upon where a brownfield site was available.

The Divisional Director for Planning and Transport replied that the Ministry of Defence sites had always been in the thoughts of the Council, but that it was the speed of their availability that had increased slightly.

Councillor David Martin asked for clarification of point A6.6 within Annex F of the report in relation to the Council being able to demonstrate a five year +20% supply of housing land.

The Divisional Director for Planning and Transport replied that the Council had looked very hard at where it could develop housing and had taken the view that it would be very difficult to agree to the proposal of seeking a further 20%.

The Panel asked for their comments to be taken under consideration and **RESOLVED** to note the report.

## **26 DRAFT STRATEGY FOR PROVISION OF PUBLIC TOILETS IN BATH & NORTH EAST SOMERSET**

The Neighbourhoods Service Manager and the Waste Management Officer introduced this item to the Panel.

The Neighbourhoods Service Manager informed them that strategy recognises that local councils are no longer the only providers of toilet facilities and that other providers and options must be brought forward to achieve the aim and objectives outlined. It also establishes a framework for future provision in a range of ways and by a range of providers, with a range of funding sources to achieve an overall improved standard of quality, quantity and distribution.

He added that approval of the strategy in 2011/12 will allow integration with the Local Development Framework and other planning interventions that will facilitate and capitalise on future opportunities for funding contributions such as through the Community Infrastructure Levy (largely replacing the previous Section 106 planning obligations arrangements).

The Waste Management Officer added that the strategy was primarily written to improve services.

The Chairman commented that she felt some pressure should be put upon the business / retail community to provide / fund further facilities. She also called for the ratings of the facilities to be improved and thought that introducing a charge for the use of facilities should not be ruled out.

The Neighbourhoods Service Manager replied that standards were improving where possible and they hoped to soon have an operative on site at the Coach

Park, Avon Street. He added that any charge must be reasonable and sustainable – 20p / 30p.

Councillor Neil Butters commented that he felt that the toilets nearest to the train and bus station closed too early.

Councillor David Martin suggested that improved signage was paramount.

The Neighbourhoods Service Manager replied that they were working with officers involved on the Public Realm and hoped to produce a map that would be widely available.

Councillor Malcolm Hanney commented that he felt that the BID (Business Improvement District) would expect the Council to make a contribution if it were being asked to contribute.

The Panel **RESOLVED** to recommend that the Provision Strategy for Public Toilets is taken forward for consideration by the Cabinet Member prior to adoption by the Cabinet later in 2011/12.

## 27 CABINET MEMBER UPDATE

The Chairman thanked Councillor Roger Symonds in his absence for his update paper.

## 28 PANEL WORKPLAN

The Chairman introduced this item to the Panel. She informed them that she had been asked by officers to have the Waste Strategy Review and Action Plan on the November agenda following a suggestion from Councillor David Dixon, Cabinet Member for Neighbourhoods. She also reminded them that earlier in the meeting they had asked for a Bath Parking Strategy report to come the January meeting of the Panel.

Councillor David Martin asked if the Panel had any role to play in the Article 4 direction in relation to Houses of Multiple Occupancy.

Councillor Malcolm Hanney asked if anything within the Panel's remit could be brought forward as part of a Single Day Inquiry.

The Chairman noted the request of both Councillor Martin and Councillor Hanney.

The Panel **RESOLVED** to agree with the proposals in relation to the Waste Strategy Review and Action Plan and the Bath Parking Strategy.

The meeting ended at 5.50 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**