

MINUTES of the FoBRA Committee meeting on Tuesday 20th September 2016 at 6.30pm in Widcombe Junior School

Circulated on 3 Oct '16 Deemed accepted 10 Oct '16

- 1 **Chairman** Robin Kerr, welcomed 22 representatives and observers - details at end.
- 2 **Curo matters:** The Chairman welcomed Victor da Cunha, CEO of Curo since 2011, recalling that he spoke to us about the Group and its ambitions nearly two years ago and answered questions freely. We had asked him back as Curo now leads one of the largest housing developments in Bath as well as being our principal social housing landlord. Victor also serves on the board of Bath Tourism Plus, the Public Services Board and the Chamber of Commerce.

We had previously informed Victor of the main topics we should like discussed:

- a) **Mulberry development - Skyline visibility** of buildings and lighting: Victor answered that he was aware of the concerns, but several of the envisaged facilities, far less associated lighting, had not yet reached the stage of specific planning applications.
- b) **Curo responsiveness to tenants generally:** (with no named official having overall policy/management responsibility for the large new estate on the Western Riverside). In his reply, Victor said that Curo had changed from a conventional maintenance response system to a new screen-based call centre, which he expected to improve service levels.
- c) **Foxhill Residents' Association concerns:** These had been spelt out in a paper by secretary Nola Edwards, circulated in advance of the meeting. She emphasised "we are not opposed to improving Foxhill and would love to see investment to improve the conditions of all residents. We are not opposed to replacing some buildings. We are vehemently opposed to the scale and intention of Curo's plans" and claimed:
 - I. House prices in the area will be forced up;
 - II. Social homes for rent will be reduced;
 - III. New homes will not be as affordable as those proposed for demolition;
 - IV. Housing density will increase and the space enjoyed by each household reduced.
 - V. Homeowners have endured 3 years of uncertainty and fear a decade in limbo.

Victor acknowledged that the scheme was on a large and ambitious scale, with profits from some activities being used to finance their social purposes for others in an era when public subsidies for social housing had effectively disappeared. He regretted the upset for some owner occupiers and hoped that the new proposals would make better progress through the planning process.

- d) **Curo Group regulation:** This is by the Social Housing Regulator - part of the Homes and Communities Agency (HCA) in a framework revised in April 2015. At its core is the principle of 'co-regulation' – whereby HCA only ensure that "social housing providers make sure that they are well managed and financially secure, so maintaining investor confidence in the affordable housing sector...".

Nigel Websper spoke for those that asked: "Who, or which body, ensures Curo implements the fine words in its brochure? Apparently it is not for their HCA regulator. Curo assets were initially gifted, it has no shareholders, and is not legally accountable to B&NES Council. There appears to be no effectual public accountability with a consequent impact on us".

Victor confirmed that Curo's own Board is responsible for effective performance, compliance with the standards and being transparent and accountable to stakeholders. It is registered as a Company ("not for profit"), and a subsidiary is a charity regulated by the Financial Conduct Authority (FCA). He added that his preparedness to come and account for Curo's accountability to organizations such as FoBRA was one aspect of its openness.

In thanking Victor, the Secretary noted that he had given up yet another evening this week to join us, as his own AGM had been the previous night, when a new Chairman had been elected; perhaps we should invite her to a meeting once she had settled in?

Continued >>>

3. Student Housing Conference:

The Chairman said that Caroline Kay, Chief Executive of the Bath Preservation Trust, had offered to stand in for us when we were unable to find a FoBRA representative to attend the important NORA/Durham University conference on Student Housing in July. In the middle of her busy schedule, involving daily attendance at the current Placemaking hearings, she had found time to come and give us feedback.

Caroline said the conference consisted mainly of presentations with time for Q&A, but not that much time for 'workshops' to seek solutions. The problems in University towns with a high student/resident ratio are similar and shared here. Bath's particular problem of finite developable land did not emerge as a problem in other Cities in quite the same way and so this issue was not really addressed, except insofar as Newcastle had looked to expansion in Gateshead rather than the suburbs of Newcastle.

The best practice learned from the day may be to build up a good community / LA / residents / police / student liaison structure, preferably jointly funded. Recent university-led partnerships such as at Exeter and Durham involving the local authority and the residents show that some Universities are taking their responsibility seriously and this should encourage:

- Student and Police-led action on antisocial behaviour, including partnership for Freshers week and the like;
- Local Authority-led, but in association with the University, as in Sheffield, to have a thorough engagement with and inspection of private landlords and, if necessary, a prosecution regime for bad ones;

Coherent Planning / lobbying:

- Encouragement of the Local Authority to have a student housing strategy and Article 4 directions that deal with both Houses in Multiple Occupation and also Purpose Built Student Accommodation, as being undertaken in Durham. Advice on Article 4 wording may also be sought from the Royal Town Planning Institute;
- Lobbying of central government to consider an alteration in the regimes for student Council Tax (which it is argued subsidises landlords, not students) and for an alteration in the buy-to-let incentives.

Soft stuff:

- Refer to 'student residents' – they have residential rights as well as responsibilities too – and work with the Student Unions to encourage neighbourliness.
- Encourage resident communities to develop friendly relations with their student community – lots of examples, such as street party, welcome pack.

The Chairman mentioned how much FoBRA valued the participation in our affairs of both our student unions as affiliate members and proposed a warm vote of thanks to Caroline.

4 Minutes of the Committee in July (previously circulated) were approved after a clarification.

5 Reduction of Pollution and Traffic:

a. Bath Transport Commission: Patrick Rotheram reported that the meeting scheduled for 16 September had been cancelled because Sir Peter Hendy had been delayed abroad - particularly unfortunate, as he had hoped to discuss traffic management before the Placemaking Plan (PMP) Inspector's hearings on the Eastern Park and Ride. He went on to report that the Inspector had asked whether traffic management proposals for central Bath were dependent on the creation of the Eastern P&R (EP&R). B&NES Council responded that they were not, which was correct; however it went on to state: "This is because ... there is no expectation that any [traffic management] scheme would radically reduce, or seek to reduce, the existing capacity of the central area road network within Bath". This is completely contrary to B&NES' policies as set out in the Core Strategy, the PMP itself, the Transport Strategy and the Public Realm and Movement Strategy, all of which call for substantially reduced traffic in central Bath. This Council submission

represented a very narrow 'Highways' view, which regards the city centre as part of a road network rather than a world class heritage site where people live, work and visit. It was not clear which, if any, B&NES policy the statement was actually based on!

Not surprisingly, the submission has been seized on by opponents of the EP&R, saying that it undermines the justification for it. The real connection between reducing traffic and parking in the centre and the EP&R is that access from the east would become very difficult if the P&R were not built. The case for the EP&R must be based on the Transport Strategy as a whole. The contradiction in the Council's approach to traffic in the city needs to be resolved and Patrick has written to the Transport Commission requesting a full discussion on this. FoBRA is a member of the Bath Alliance for Transport and Public Realm, which aims to encourage the Council to carry out its declared policies for a transport plan to implement the Transport Strategy. The Alliance has attracted the support of prominent Bath organisations, and is expected to launch publicly in the near future.

- b. Traffic management in Queen Square** – Following discussion at FoBRA 13 July meeting (Minutes 3 b i) on the severe traffic congestion during the Bath Boules tournament, Nick Tobin reported that he subsequently met Greg Ingham (CEO of MediaClash, who helped to organise the event) who cast a different interpretation on what had happened.

Earlier, Nick had been told by the Cabinet Member for Transport, Cllr Tony Clarke, that, while the Council had organised the traffic management arrangements, the tournament organisers had refused to pay for B&NES traffic officials to operate these on the day - at least that was what his officials had told him! However, Greg Ingham counter-claimed that the Council had informed the organisers that they did not have the resources to operate the traffic management system on the day, so Bath Boules had had to pay [quite a lot more, it is said] for a private company to do the job – and we know the sad outcome.

Apparently at the latest 'amicable wash up' meeting between the two parties in mid-August, significant problems were aired. Traffic flows on the Monday, before the roads were reopened showed very significant delays for vehicles entering the city. The Council was inclined to the view that the event had outgrown its present venue and, from the purely traffic point of view, Cllr Clarke said that he would not recommend a similar closure during the week – but, of course, traffic was not the sole criterion.

Bath Boules, who raised £41,400 for local charities, were concerned by this potential conclusion and have lobbied hard for the Council not to decide against their using the Square for future events by proposing various palliative measures such as holding the event when it does not clash with university open days, etc. Greg Ingham hoped that FoBRA could support Bath Boules in their quest. An adverse decision would not only inhibit other event organisers from using Queen Square for events requiring roads to be temporarily closed, but would also stall experiments to make this and other parts of Bath more walkable or pedestrianised in the future.

In an email to Nick on 17 September Cllr Clarke revealed that the Council had decided to allow Bath Boules to hold a tournament in Queen Square with road closures from 18.00 hours on Friday evening to 06.00 hours on Monday morning, with a preference for the Square to be re-opened as soon as the event is over on the Sunday. Bath Boules believe this to be a positive and welcome decision although no road closures on the Friday will have detrimental operational, financial and reputational impact. We shall be watching how this all pans out.

6 Planning and Development Control:

- a. Planning Report** (previously circulated): On the "begged questions", the mood of the meeting was that, as at present, major development proposals should be monitored and commented on by the Planning Sub-Committee even if they do not fall within RA boundaries and, when appropriate, should continue to be put before the Executive.
- b. Placemaking Plan Examination in Public:** The Chairman added to what he wrote in the Chairman's Report about the current Examination in Public: FoBRA has so far appeared at, and spoken on, Matters 2, 4, 7, 8, 9 and 12. He said it was slow and agonizing work, with the need for great patience, familiarity with the multitude of documents and an ear for

detail, but, for example, on the A36/A46 link, which got hardly a mention in the original text, we are now being asked to negotiate with the Council and the Preservation Trust for its proper recognition. Item 12, earlier that day, had been of vital importance to Bath's residents, as it dealt (amongst development site considerations) with flooding risk upstream from Pulteney Bridge. This was a textbook example of where it pays to have local and Bath-wide residents' associations. The subject had been raised with FoBRA over a year ago by Henrietta Park, because it was simply being ignored by the Council. We teamed together to bring it to meetings with the Council up to Leader level, in Placemaking Plan representations, and to the Inspector that day. The next day, there would be another big day, on the Universities, where our concern would be student housing in the city; and the following day we would have another important day, on Transport, in all its manifestations.

7 Engagement

- a. **Chairman's Report** – (circulated 15 September) The Chairman added, on the **NORA** Meeting with the Chief Planner on 17th August, it was a great privilege to be able to hold such meetings, which the very senior officials seemed to appreciate as much as NORA did. We are an expert and well-prepared team. He felt that NORA was on the UP at the moment, with its sponsorship of a major conference in July, and having resolved its leadership succession earlier this year.
- b. **Bath City Forum** held its AGM and quarterly meeting on 13th Sept. Cllr Bob Goodman was confirmed as Chairman. The new constitution requires a co-opted person as Vice Chairman. Robin nominated Jeremy Boss (Widcombe) for this, seconded by Van DuBose, but the vote was for a very worthy lady, Rosie Phillips. However, Jeremy was elected to the powerful new sub-committee for selecting the future membership of the Forum and for setting its agenda. The rest of this meeting had presentations and discussions on Refuse policy, Inequality, Policing and Libraries. Separately, Robin had been asked to meet the BCF Chairman again, to discuss the way ahead on Student Housing.
- c. **Council Refuse Collection:** The Chairman invited Rachael Hushon, who has made it her business to become an expert on refuse, to speak:
 - I. B&NES, from Autumn 2017, aims to change refuse schedules - continuing with some weekly collections, including food waste, but household waste to be collected fortnightly.
 - II. She believed that this plan would be unacceptable for much of the city centre and adjacent residential streets, made up of subdivided Georgian townhouses.
 - III. Rachael maintained it was very hard for residents to manage waste with the current weekly collections and gave practical examples of why a fortnightly collection would be unacceptable or unrealistic. She caught "the mood of the house" in saying that we already have an awful mess on certain central area streets with spilling soiled black sacks and food waste caddies; gull sacks being hung on railings as permanent outside bins simply attract more litter and rubbish on the streets. Two week collections in central areas would worsen an already bad situation, blighting the Georgian heart of Bath.
 - IV. Pam Jones, the Council Officer in charge, has been in post 5 weeks and will be contacting resident groups to discuss changes in their areas - offering wheelie bins and gull sacks. Rachael met her and she had not previously fully understood the difficulties that these areas of Bath already have. However, she did confirm that it is not the intention of the Council to provide gull sacks to remain permanently on railings outside these historic buildings - these sacks should be taken inside within 24 hours.
 - V. Rachael pointed out: First, gull sacks do not solve the issue of residents in these flats having no external bin storage; Second, these streets should keep at least a weekly collection, if not more often. Third, there is currently no enforcement.
 - VI. Pam Jones has agreed to meet with FoBRA members, who have these street fronted properties in their community, for a walking tour on Wednesday 26th October starting at 10am in St James's Square. The council accepts that they cannot adopt a "one size fits

all” approach and that weekly collections may remain in central areas. She understood stricter enforcement is required to ensure that our streets are cleared up.

- VII. Rachael hopes that we contacted Pam early enough in the process to enable changes relevant to the specific areas and that through early intervention we have got them to consult rather than merely communicate a diktat.

The Chairman’s proposal that Rachael be FoBRA’s lead on this topic was warmly welcomed.

d. Your Care, Your Way: The Chairman thanked Mark O’Sullivan, our representative on this important consultative process throughout B&NES, launched in 2014 by the Council and NHS Clinical Commissioning Group (CCG), for his helpful paper circulated with the agenda.

In Mark’s absence, he asked the Secretary to initiate a discussion but, despite his efforts, no opinions were expressed on the consultation process generally nor the consequential proposal to appoint Virgin Care as the preferred bidder – to be the prime provider, delivering some services themselves and sub-contracting others, in partnership with a wide range of local organisations. Attention then focused on the suggestions in Mark’s paragraph 8:

- i) *Reversibility* – members rather agreed with the idea that the CCG should retain the capacity of ‘informed client’.
- ii) *Free Competition* – We felt considerations of how contracts be renewed in future to be beyond our comfort zone.
- iii) *Data protection* – This was felt to be sufficiently provided for in legislation already.
- iv) *Freedom of information* – The suggestion for handling exceptions was supported.
- v) *Post-hoc accountability* – We ducked a view on this but noted the following sentence that “much is dictated by the NHS centrally”.

8 Revised Constitution: The Secretary regretted that the minuted intention of putting the largely agreed revised constitution to an emergency general meeting in tandem with this Committee had not been implemented because he had discovered that the current constitution does not permit an EGM to be called in the way envisaged. This emphasised that constitutionally there was really no difference between the Committee and a General Meeting of FoBRA. Consequently he had attempted to clarify / simplify the reality in the circulated paper. If agreeable, he will be in touch with members to enable, he hoped, a final EGM to be called.

- 9 Forward Dates:** – Wednesday 26 October – Refuse Collection Walking Tour 10am
– Tuesday 15 November – Next Committee meeting
– Tuesday 17 January 2017 – Winter Reception
– ? ? February 2017 – Committee meeting

Present (in addition to our two guest speakers):

Robin	Kerr	Lansdown Crescent Association	FoBRA Chairman
Nicholas	Tobin	Ainslie’s Belvedere & Caroline Place R A	FoBRA V-Chairman
Neil	Barnes	LCA	FoBRA Treasurer
Barry	Henderson	Western Riverside	FoBRA Secretary
Julie	Trollope	Bathwick Estate Residents Association	FoBRA Social Sec.
Matt	Humberstone	Bath University Students Union	Community Officer
Ken	Ayers	Bathwick Estate Residents Association	Representative
Nola	Wright	Bathwick Estate Residents Association	Representing Chair
Janet	Anderson	Camden Residents Association	Secretary
Adam	Reynolds	Cycle Bath	Chairman
Nola	Edwards	Foxhill Residents Association	Secretary
Ian	Herve	Henrietta Park Residents’ Association	Secretary
Rachael	Hushon	Lansdown Crescent Association	Representative
Nigel	Websper	Pulteney Estate Residents’ Association	Chairman

Paul	Dowling	Royal Crescent Society	Deputy Chairman
Stephen	Little	Royal Crescent Society	Treasurer
Patrick	Rotheram	Vineyards Residents' Association	Chairman
Jeremy	Boss	Widcombe Association	Chairman

In attendance:

Leslie	Redwood	Bath Tourism Plus	Observer
Patricia	Griffin	Foxhill Residents Association	Observer
Brenda	O'Neill	Foxhill Residents Association	Observer
Tim	Newark	Central resident & Independent Shops	Observer

Apologies

David	Greenwood	Bath Independent Guest Houses Assoc	Representative
Lucy	Woodcock	Bath University Students Union	President
Aled	Davies	Bath Spa University Students Union	Vice-Pres Welfare
Charles	Draper	Bathwick Estate Residents Association	Chairman
Colin	Clark	Bathwick Hill Residents' Association	Representative
Clyde	Hunter	Bear Flat Association	Chairman
Chris	Beezley	Beech Avenue Residents' Association	Representative
Richard	Samuel	Camden Residents Association	Chairman
Morny	Davison	Catharine Place Residents' Association	Secretary
Margarida	Dolan	Greenway!	Chairman
Mark	O'Sullivan	Greenway!	Representative
Ceris	Humphreys	Henrietta Park Residents Association	Chairman
Ian	Blair	Hensley & Egerton Road Res Assoc	Chairman
Gerald	Chown	MacAulay Prospect	Representative
Stephen	Huard	Marlborough Lane & Buildings	Chairman
Caroline	Kilner	Pulteney Estate Residents' Association	Representative
Van	Dubose	St James's Square Bath Limited	Representative
John	Rushton	Sydney Buildings Householders Assoc	Representative
Jan	Shepley	Widcombe Association	Representative
Liz	Littlewood	Widcombe Association	Secretary



Barry Henderson, Secretary Circulated 3/9/16 deemed accepted 10/10/16