

COURT LEET PRESENTMENTS 2016

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
1.	Sholing Junior School			
	Flight Lieutenant Eric James Brindley Nicholson	Mike Harris	Councillor Kaur	<p>On the 16th August 1940 Flight Lieutenant Eric James Brindley Nicholson was badly injured in his Hawker Hurricane which was shot by a Messerschmitt over Southampton. His plane burst into flames after the petrol tank was set alight. Fortunately, he survived and won the Victoria Cross for his bravery against the enemy, the Victoria Cross is the highest and most prestigious award you can earn. Our school noticed that there is no memorial in Southampton for this amazing man, yet he fought in the skies above our city and almost lost his life.</p> <p>A couple of weeks later, a small group of children and teachers travelled to the Houses of Parliament to talk to MP Royston Smith about a memorial for James Brindley Nicholson. After some reasoning he agreed that it was a good idea to make a plaque in our new school building. With the governors' permission, the teachers set a competition to design the plaque.</p> <p>Finally after weeks of waiting for the plaque to be made at the stone masons it eventually arrived to be placed in the building. At long last what we had set out to achieve had finally come to fruition.</p> <p>We feel that James Brindley Nicholson should be remembered for his heroics and bravery. Therefore we hope to achieve more and get Southampton City Council to recognise James Brindley Nicholson's exploits and sanction a memorial, similar to the one at our school, to be installed at a prominent location in the City. We feel that the people of Southampton should know about James Nicholson and how he was the only recipient of the VC during the Battle of Britain and that he was awarded it whilst defending our City. Our cluster schools will be willing to fundraise and produce the memorial stone if the Council can secure a location for its installation.</p> <p>Adults are role models for us but we think it was our chance to be role</p>

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				<p>models for Adults</p> <ul style="list-style-type: none"> - Freedom belongs to those who have the courage to defend to defend it - The pilots we speak about had that courage which is why we enjoy the freedom we have today.
1.	<p>RESPONSE: The council is supportive of a plaque to honour the heroic actions of James Brinkley Nicholson being located within the city as it is of Sholing Junior School, and the cluster schools undertaking fundraising activities to fund the cost of the creation and installation of the plaque, and would like to say thank you to all schools involved. SCC will help promote the activity of fundraising endeavours via council social media and other promotional platforms. Members will work with officers and the school to find a suitable location for the plaque to be installed.</p>			
2.	<p>Mr Colin Richards</p>			
	Improved access to the Common	Mitch Sanders	Councillor Rayment	<p>I am looking to get an existing historic gate reopened at the northern end of the old cemetery in Southampton to allow people to improve accessibility and permeability of the common. The gate was open for a while but now has been padlocked shut with earth moved in front of the entrance. I have been in touch with the Council (David Lees) about this and consulted the local cemetery group who were against opening the gate for a number of peculiar reasons such as increased crime and antisocial behaviour.</p> <p>I am happy for this to be considered as a written representation if that is possible and will be able to prepare a more full statement with plans and photos of the issue if this helps.</p>
2.	<p>RESPONSE: The gate at the northern end of Southampton (Old) Cemetery has been closed for a considerable number of years, over 25 according to employees within Bereavement Services, and has not caused any significant problems with access to the cemetery as other entrances/exits are available.</p> <p>The gate was closed because anti-social behaviour, such as vandalism, drug dealing/abuse, sexual activity, overnight sleepers, dog fouling and cycling on footpaths was taking place within the cemetery and it was believed that limiting the number of access points into and out of the cemetery helped to protect the cemetery, cemetery visitors and the adjoining</p>			

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	<p>Common.</p> <p>The gate was unlocked for a period of time in 2015 after the chain was cut and removed by persons unknown and following a short period of consultation with the Friends of Southampton Old Cemetery the decision was taken to once again secure the gate in the closed position for the reasons outlined above.</p> <p>We are sensitive to the needs of cemetery users and the views of the Friends of the Old Cemetery, a group of volunteers who do excellent work to assist the council in maintaining the cemetery and feel that the gate should therefore be kept closed.</p>			
3.	Mr Martin Brisland			
	Conservation of the American Wall	Mike Harris	Councillor Kaur	This wall is beside the De Vere Hotel. It is seriously deteriorating. It is a memorial to the two and a half thousand American soldiers that came via Southampton to fight with the Allied forces in Europe. To protect this wall would acknowledge their support in the 2 nd World war.
3.	<p>RESPONSE: The wall in question is within the grounds of the hotel and the responsibility for maintenance, and any restorative works rests with the hotel owners. Some of the wall has been demolished, there were inscribed bricks in that section, that are now in the Council Local History Collection. Records and photographs have been made of the remaining section of the wall. Given that the wall is not currently listed, there is no statutory requirement to carry out restoration works. We hope that the presenter can work with the hotel to address their concerns.</p>			
4.	Ann MacGillivray			
	Equality in Hereditary Chiefship		N/A	The presentation was rejected.
5.	Mr Adrian Ford			
	Wheelie Bins	Mitch Sanders	Councillor Rayment	There is currently a problem with bins left on pavements, this makes it difficult for the elderly or people with pushchairs from walking on them, I would ask that the council look at ways to prevent this. A possible solution may be to fine persistent offenders, this could be landlords in the case of HMOs.

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5.	<p>RESPONSE: It is the responsibility of the occupier to take their bin back in after collection. This should be done by the end of the collection day so as not to cause an obstruction or difficulty, in particular for the elderly, those who are partially sighted or people with pushchairs.</p> <p>In areas where there are Houses in Multiple Occupation (HMOs) there tend to be a greater number of bins that can exacerbate the issue. The central wards in the city where there are the highest concentrations of HMOs are subject to licensing and the HMO Wardens work closely with waste staff to assist with the education of residents and landlords to ensure as far as possible that bins are taken in following collection.</p> <p>Enforcement action under the Environmental Protection Act 1990 (as provided in the Clean Neighbourhoods & Environment Act 2005) is possible, but would not necessarily be considered to be a proportionate response unless in the most extreme circumstances.</p> <p>Further information can be found in the council's Waste Management Policy. http://www.southampton.gov.uk/policies/Waste-Management-Policy_tcm63-364278.pdf</p>			
6.	Mr Adrian Ford			
	Fly Tipping and Litter	Mitch Sanders	Councillor Rayment	<p>There is currently a big problem in the city with fly tipping and littering. This can create health and safety problems with rats and unsafe piles of unwanted large items such as fridges and mattresses.</p> <p>I would ask that the council look at ways of tackling this. One possible solution may be to bring back the city patrol or allow landlords and small businesses to access the cities recycling centres for free in order to alleviate the problem.</p>
6.	<p>RESPONSE: The City Council has set out its strategic vision that 'Southampton is a modern, attractive city where people are proud to live and work'. The appearance of the city is an issue we take very seriously as we recognise the potential negative impacts that fly-tipping and littering can have. Our street cleansing teams work actively seven days a week to keep our streets safe and clean by performing regular street sweeping and litter picking. Last year they dealt with nearly 3,000 public reports of fly tipping on public land. The challenge we face is balancing the cost benefit of education, enforcement and the prompt clearance of what has been tipped.</p> <p>Street Cleansing staff working with HMO Wardens, local communities and community payback to routinely clear areas of the</p>			

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	<p>city subject to fly tipping, including private alleyways.</p> <p>The council provides a good value, reliable Commercial Waste Service for many of the smaller businesses in the city. The Household Waste Recycling Centre is provided for the disposal of domestic and not trade waste.</p>			
7.	Lyn Bradshaw			
	Pot holes	Rob Harwood	Councillor Rayment	<p>Pot holes - I'd like the "Pavement" repair criteria to apply to cycle routes and parts of roads where cycles often are.</p> <p>The So'ton City council web site page for reporting potholes says that if a hole on a pavement is "deeper than 4cm" (hold ruler) it "may cause a dangerous situation and cannot currently be reported online" and you are asked to telephone. The tick box options are "less than 2cm deep" or "2-4cm deep".</p> <p>The criteria for roads is golf ball and tennis ball depth...but I strongly feel the criteria needs to be changed where bikes regularly are. A bike tyre going over a hole this size (hold up tyre and golf ball) is bad, let alone a bike tyre going over a hole up to this size (hold up tennis ball). If car tyres had to go over or avoid holes that were the size of their tyres there would be so many complaints, but cyclists are regularly having to avoid holes the size of their tyres.</p> <p>SO my point is that the criteria needs to be changed on all cycle routes, including the parts of roads where cycles usually are - the edge metre, or if regularly parked cars, then that distance from the edge.</p> <p>I can give examples of potholes on dangerous edges of junctions that I have reported over the years, but don't get repaired as they are not "bad enough". Cyclists have to focus on the potholes, for example, when swinging round the corner at a busy junction. It's not good for my spine, it means I am looking at the tarmac, it means people might not choose to cycle. And even when they are repaired, so many are not done smoothly enough so it is still bumpy. Please help to improve</p>

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				potholes repairs, so that cycling can be something more and more people choose to do, for the good of the city (pollution etc.) and for their own health.
7.	<p>RESPONSE: The policy the City Council have adopted with regard to pothole depth intervention level standards has been predicated on a combination of national best practice amongst highway authorities and an affordability assessment in terms of the levels of service the Council could employ when appointing our long term highways partner, Balfour Beatty Living Places during 2010.</p> <p>It is accepted that the effect of traversing a pothole on a bicycle can be quite different to passing over the same defect in a vehicle and for this reason Balfour Beatty, who manage risk across the highway network do assess the hazard that specific potholes present to road users based not only on depth criteria (for example the likelihood of a sudden further deterioration to a greater depth or the presence of loose and hazardous stones around a defect may well cause a repair to be carried out even if not at the precise intervention level, but each instance is inspected on a case-by-case basis).</p> <p>It would not be possible to consider a change in standard of repair where cyclists may travel on the carriageway, in view of the uncertainty and variability of these paths that would cause an unacceptable amount of inconsistency in both implementation and defence of any claims.</p> <p>There would be the potential for altering intervention levels across existing on and off-street designated cycle lanes to match the standard employed across the City's highway footpaths, but this additional coverage is likely to cost upwards of £70k per annum (it is further noted that this is only an indicative figure from Balfour Beatty at this stage). This is not currently being considered further, but will be subject to ongoing review against highways code of practice guidance.</p>			
8.	Lyn Bradshaw			
	Speeding on the Avenue	Mike Harris	Councillor Rayment	It is extremely unsafe for everyone in the area, whether cycling, walking, or waiting at bus stops. The Avenue (the road leading from the M3) is mainly 40mph despite other comparable roads in the city being less. Part of the road is wide enough for 3 lanes, so is used as a fast overtaking lane, known a "suicide lane". I have witnessed too many horrendously dangerous overtaking manoeuvres, especially when a vehicle then pulls back in as another vehicle is using the same space

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				<p>but speeding towards them. I have also witnessed accidents on The Avenue [roof sawn off car, bus accident], and when on a crossing have been driven into and knocked onto the bonnet of a car.</p> <p>This is a road through an SSSi (The Common) and it could have such a different feel to it - like so many of the London parks that now have segregated bike lanes and slow roads. Of course the pollution would be less, as there would be less accelerating, then braking at the roundabouts and many traffic lights. The speed limit needs reducing, and the wide lanes need to be reduced by putting in segregated cycle lanes.</p>
8.				<p>RESPONSE: Police support is required for speeds to be reduced from 40mph to 30mph as they undertake the enforcement. For this the Police reasonably request that as well as a change to speed limit signage suitable measures are included that will effectively reduce driver's speeds. This is because previous speed reduction schemes have shown that signage alone is not always effective at reducing driver speeds and therefore leave the Police with an enforcement issue. Therefore any speed reduction of this kind should be coupled with physical measures such as build-outs or speeds cushions. While such features would not be deemed suitable for The Avenue another option is permanent fixed camera enforcement. The option of implementing fixed cameras have previously been considered by the Police with costs proving to be very high. An additional measure of red light cameras at signalised junction has also been considered to prevent red light running.</p> <p>Each year SSC undertake a road safety review across the network which determines where funding for road safety is to be used. This is the first year in which injury accident data has been reviewed in corridors such as The Avenue as well as cluster sites (junctions). As part of this review The Avenue did not show as a priority corridor site for the 2016/17 programme however injury accident data will again be reviewed in April 2017. Should this corridor be prioritised then the above survey and recommendations would for part of any decision making on how to improve road safety.</p> <p>Regarding the narrowing of carriageway, this would likely have a significant negative impact on capacity of this route which in turn would increase congestion and journey times. As part of the strategic network for the city and a primary link between the City Centre and motorway access this would need to be taken into consideration and the impact better understood before recommendations were made. This was not considered as part of the 2015 Road Safety review.</p> <p>In recent history the Police have undertaken very little enforcement of speeds on the Avenue due to the lack of space on</p>

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	verges for them to park an enforcement vehicle safely. Southampton City Council have this summer agreed with the Police a suitable site and are undertaking measures to prepare this site for the Police to begin enforcing at the existing 40mph speed limit. This will see regular visits from the Police undertaking camera enforcement in both directions between junctions with Bassett Wood Road and Glen Eyre Road.			
9.	Mrs Velecky			
	Ditches and open spaces on the Common	Paul Juan	Councillor Rayment	<p>Vegetation in ditches is no longer being cut back. As a result orchids which used to grow along the ditches have disappeared. It may not be possible, because of manpower shortages, or for ecological reasons, to clear all the ditches. However it would be good if those in which orchids grow could be cleared, as happened in the past, so that we could see the orchids again.</p> <p>Open areas on the Common are shrinking, because smaller areas are being cut, and this allows scrub and especially oak saplings to grow around the edges. Once the oak saplings are established the result will be more woodland, less open land and the disappearance of wild flowers which grow on open land. Can we return to the old mowing regime?</p>
9.	<p>RESPONSE: It is current practice to leave the vegetation on the sides of the ditches on Southampton Common to slow down the water flow so wider and deeper channels are not cut through. This practice also helps with providing a benign habitat for amphibians. Some years ago, all ditches on the Common were regularly cut back on either side and cleaned out along the bottom. Current resource levels would no longer allow a systematic cutting and clearing out of all Common ditches to take place on an annual basis. On the whole vegetation does not grow from the bottom of the ditches as the water suppresses this. Vegetative growth is monitored and cut back as required if found to be causing blockages.</p> <p>Orchids are a valued part of the Common's flora, and in those areas where the maintenance programmes applicable to ditches and adjacent areas can be modified to encourage their presence, such modifications will be incorporated into the Common's routine maintenance programmes.</p> <p>The Council remains committed to maintaining the Common in line with current evidence that shows that "countryside" type landscapes are better for health and wellbeing. We are aware of the issues with Oak saplings, which are mostly planted by Jays and Squirrels and will continue to remove them. There is no intention to allow the area to become more wooded and we</p>			

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	remain committed to the existing Management Plan (adopted in 1992).			
10.	Mr Jeffery			
	Planning our City's Future	Mike Harris	Councillor Letts	<p>As is required of an efficient City Council, Southampton has only recently completed a City Centre Action Plan and is now embarking on a New Local Plan, envisaging the City as far ahead as 2036.</p> <p>It is therefore very frustrating for amenity groups, such as CoSS and citizens to find, on several recent occasions, where instead of guiding developers to build as per the official plans, the developer to set his own standards.</p> <p>Only a month ago at Centenary Quay, Woolston, a planned footpath and cycle route (the Solent Way) was changed to suit a few rich clientele of crest-Nicholson, the builder of that development. The public are now deprived of a riverside route.</p> <p>In another example, the proposed new Bargate Centre plans do not include the City Walls or Hanover Buildings. It is therefore half a plan. This had been earmarked as a comprehensive proposal, highlighting Polymond Tower and with access to Houndwell park. The former developer unfortunately went bankrupt during the 2008 financial crisis. The new developer does not wish to respect the original plans.</p> <p>Developers in general seem to be getting away with distorting the original City Plans e.g. adding extra storeys to a student block after the original planning application. New builds in the Old Town should not exceed 6 storeys, but developers continue to plan higher buildings.</p> <p>We are being developer led, and it's wrong. The City Council should stick to its planning policy.</p>
10.	RESPONSE: In order to secure development and economic growth in the city, it is important that the city council works in partnership with investors and developers, as well as residents and other stakeholders in the city. The development and			

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	<p>implementation of appropriate planning policies is an important task and the recommendations of officers to members of the planning panel for the Centenary Quay development were in line with the existing planning policies. Recommendations for the Bargate scheme will equally take account of existing policies.</p> <p>As the presenter notes, the city council is embarking on a revision of the local plan and appropriate policies. We hope that the presenter and many other stakeholders, will engage in the consultation process to help shape future planning policy</p>			
11.	Mr Trowbridge			
	Disabled access to the Civic centre	Mike Harris	Councillor Shields	<p>. Last year I put forward a presentment for the disabled to enter the civic centre (Main entrance no notice at the base of the steps – or a telephone number for people to ring for assistance). This presentment was accepted by the Jury and was passed onto the relevant officer in which I had a reply in due course.</p> <p>However the reply was very disappointing as little has been done. Today I implore that this situation is rectified</p>
11.	<p>RESPONSE: The Civic Centre is a listed building and the erection of signs or other additions to the building requires approval by Historic England. There are no signs on or adjacent to the building in the immediate vicinity of the main entrance and approval for signs in this area has not been granted.</p> <p>The Capital Assets Team will however investigate with Historic England what alternative options may be acceptable to improve signage to the disabled access located to the east of the main entrance.</p>			
12.	Mr Clive Trowbridge			
	Food Hygiene Rating		Councillor Shields	<p>Mr Sheriff Ladies and Gentlemen of the Jury. I notice that the Food Standard Agency have adopted for places serving food to the public that on the doors and windows of their property they have a food hygiene rating green sticker showing the standard of that establishment.</p> <p>Would Southampton City consider adopting the same procedure for Rest or care homes and could be put on the window or door of the property so that relatives contemplating putting their relative in the Care/Rest can instantly know the score as far as the home is</p>

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				concerned.
12.	RESPONSE: Responsibility for this item lies with the Care Quality Commission. The presentment will be forwarded accordingly.			
13.	Lindsi Bluemel			
	Bullar Road gyratory Air Quality	Mike Harris	Councillor Rayment	<p>The air quality in this area is well below the acceptable standard and it is designated an Air Quality Management Area. Part of the reason for this is that almost all the diesel trucks from the wharves on Princess Rd use this route out of the city in preference to the Itchen Bridge and a toll of £20.</p> <p>A large part of the land in the middle of the gyratory is currently undergoing demolition and clearance as a result of the explosion at the firework factory which was sited there.</p> <p>The report of the Air Quality Scrutiny Panel says that planting trees is one of the easiest ways to reduce levels of dangerous toxins. My proposal is that the planning requirements for redevelopment of this site include the planting of small trees around the perimeter of the redeveloped area. If trees are not possible, then some sort of hedging or other green planting should be required. Not only would this improve the air quality in the locality but it would visually improve what has always been rather an eyesore. I have spoken to several councillors who have agreed with my suggestion.</p>
13.	RESPONSE: The planning application for the site should respond to the current policies of the council and will be assessed against them. Current policies do not necessarily require planting as proposed. When an application is received and processed, the presenter should respond to the public consultation with their suggestion.			
14.	Lindsi Bluemel			

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	<p>Bullar Road gyratory</p> <p>Pedestrian Crossings</p>	<p>Mike Harris</p>		<p>The cross-roads at the gyratory (Buller Rd/Athelstan/Bitterne Road West) are both pedestrian and cycle unfriendly and this must be changed. Crossing Bitterne Road west is lengthy and dangerous for pedestrians and cyclists have to go around the one-way system with cars, lorries, trucks and buses. To cross from the station to the bus-stop or convenience store (a distance of 20 metres or so) requires using THREE pelican crossings, at each of which you will wait up to 2 minutes; parents with pushchairs will be waiting for some time in the middle of the road breathing in all the toxic fumes from passing vehicles. It is no surprise then, that at 3.30 in the afternoon, you will see school children clinging to the outside of the railings at the MacNaughten/Bitterne Road West junction, with HGV's and buses whizzing by within millimetres of them, then waiting for a gap big enough to enable them to dash across the road. I have stood and watched children carry out these kamikaze movements astonished that they reach the other side of the road safely.</p> <p>What is required here is a simple "simultaneous red" for vehicles coming from all directions; at the same time, simultaneous green for pedestrians and cyclists to cross the junction in any direction. Three toucan crossings is completely unacceptable and it is not only children, adults as well make risky dashes across the road; also the three toucan crossings only take pedestrians to the east side of the junction. People also need to cross Bitterne Road West on the west side of the junction – more often and more frequently because the bus stop and convenience store are on the west side.</p> <p>When I cross the road at this location I cannot believe that I live in a civilised country or that such people as road safety officers or transport planners actually exist. If they do, they have certainly never stood at this junction at 3.30 pm and watched. And, believe it or not, this junction is on a route to two schools! I ask the jury to agree that the Council should consider how this junction can be improved for cyclists and pedestrians as a matter of urgency.</p>

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14.	<p>RESPONSE: The A3024, Bitterne Road West is a very busy road as it is one of the main accesses into the city from the east. Traffic signal junctions such as this one must provide a balance of maximising traffic flow, keeping the buses to their timetables and facilitating safe pedestrian movements. At high demand locations such as this, it can be challenging and does result in traffic signal staging where pedestrian can wait longer than compared to other locations.</p> <p>A review of the recorded Personal Injury Accidents at this junction show seven recorded accidents in the last five years. Four involved pedestrians, all of which were slight in severity. Over the five year period there is no notable trend to the accidents or a focus on one particular crossing. The SCC Transport Team will undertake a review of this junction to identify if there are refinements to the signal timings to provide more frequent pedestrian crossing opportunities but this must continue to ensure the general traffic flow is not unduly impacted.</p> <p>Any more fundamental changes to benefit pedestrian accessibility will be a longer term consideration, however the Council is in the process of reviewing the A3024 eastern access corridor to identify longer term infrastructure improvements which will include opportunities for major junction enhancements which are being considered in partnership with Highways England.</p>			
15.	Liz Batten			
	Clean Air and Cycling in Southampton	Mike Harris	Councillor Rayment	<p>Do you know, a cycle route between the upper and lower levels of the city centre has been removed/ It will not be replaced when Watermark is finished, so cyclists will have a much longer, more difficult, more dangerous journey. This got me thinking about the status of cycling in Southampton.</p> <p>We are experiencing huge risks to our health from air pollution here in Southampton. We have “no technical fixes for this” (that’s a quote from Professor Ian Williams at the University of Southampton). To protect ourselves we must favour walking and cycling, remove the vehicles that pollute it as quickly as possible, and create a fully integrated public transport system. Many cities are taking this approach: Amsterdam, Utrecht, Seville, Copenhagen and London, for example.</p> <p>Earlier this year, Transition Southampton ran a series of meetings called “Imagine Southampton” where people put their hearts into creating a vision of the city they would most like to see. Then they voted on the issues of most concern to them. “People not cars” came top of the list.</p>

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				<p>I mostly have to ride my bike on the road, feeling vulnerable riding alongside four wheel vehicles, because the cycle paths in the city are not fit for purpose. They are disjointed, full of obstacles and potholes, and discourage commuting cyclists, who want to move smoothly from one point to another. It is the commuting cyclists who will help most to take rush hour traffic off the roads and who must be catered for.</p> <p>Finally, and most painfully, someone I know has died in the City whilst cycling and five other people I know have had serious accidents whilst cycling. Bargate ward has the highest number of cyclists and walkers having accidents in the whole city.</p> <p>So, out of all that came my four points which I am making here to you today:</p> <ol style="list-style-type: none"> 1. All cycle routes/paths/lanes in Southampton should have the same legal status as public footpaths, and no variation or removal should be considered without proper consultation (according to whatever law covers this situation). 2. All planning applications for new developments of any kind in Southampton should include a clear diagram of how the proposal will link up with existing routes in the area, and additions and amendments made accordingly. 3. Southampton City Council should have a City-wide Plan for Cycle Routes, putting cycling (and walking) ahead of driving when considering new developments of any kind. The overall aim should be to create a series of segregated cycle routes in the interest of getting more people cycling and reducing the risk to cyclists. Funding from Government and the Local Enterprise Partnership should be sought to support this aim. (I am aware that plans are already afoot for a ten year strategy for improving cycling in the city but I understand they don't take this further step – of prioritising walking and cycling in all Council policies). 4. Consultation with the cycling, clean air, climate change and other

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				<p>community and environmental groups should form a routine part of all proposed developments, residential and commercial. Deeper involvement of these groups in all aspects of development is needed.</p> <p>The words to create a lot of this already exist in policy documents. But what doesn't seem to exist is the translation of those words into practice: we don't "walk the talk" here in Southampton. Every day I walk or cycle past new developments which have ignored the needs of cyclists completely. So I have come to the conclusion that you, members of the jury, hold a very special key to the future health and wellbeing of the people who live in the city.</p> <p>So why become a city that walks and cycles more?</p> <ul style="list-style-type: none"> • A lower risk of heart attacks, stroke, diabetes, obesity and countless other ailments • A lower risk of Asthma and other lung problems • Children whose lungs and intellect develop better • Fewer serious injuries and deaths on the road – Bargate ward needs urgent attention • More prosperity – the Council's own documents say that "making places better for walking can boost football and trade by up to 40%" • Joining all the cities across the UK and the rest of the world who are leading the way in fighting air pollution and climate change <p>So what is the key that you, the jurors, hold? You have the power to ask the Council to adopt one important principle – to put people before cars. At present, cars are top of the list. You have the power to ask the Council to declare that its policy for Southampton is to give priority to walking and cycling – in all its policies – so that over time we can be proud that we are a City that puts people first.</p>

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				<p>Many other cities have achieved this – the people of Southampton already have a vision of a less polluted, easier to travel around, friendly, more prosperous city that favours walking and cycling – you can help begin the process of making this vision a reality. Thank you.</p>
				<p>RESPONSE: Cycling in Southampton is becoming increasingly popular and is seen as the fastest, healthiest and greenest way of travelling whether this is for work, going to school, leisure or exercise. The numbers reflect this between 2001 and 2011 census the number of people cycling to work rose by 24% and numbers cycling on the city’s streets has risen by 15% since 2010. The annual SkyRide is one of the biggest events in Southampton and the 2016 event saw over 12,000 people take part on traffic free closed roads.</p> <p>Over the next 10 years Southampton is set to experience significant growth with commercial, office, retail and housing development planned, which will lead to more people visiting and living in the city. To make sure that this development can come forward sustainably, cycling will need to play a major role in tackling any implications of this growth on air quality, traffic levels and congestion.</p> <p>Southampton City Council recognises that cycling will play an important role in the future and that there are a number of challenges, concerns and issues about cycling in Southampton. Air quality is becoming a pressing issue and although 4.6% of people cycle to work this is below other places such as Portsmouth (7.4%), Bristol (7.7%) and Oxford (17.5%). Many short journeys are made by car with just half (48%) of all journeys to work are less than being less than 3 miles – a cycleable distance. There are challenges around how busy the streets are, physical activity rates are low with high obesity (two-thirds classed as overweight or obese) and not being able to access a bike, either physically or financially, restricts people’s ability to take part in cycling. Currently, the cycle network in Southampton is unable to provide people with a consistent level of service and route from door-to-door</p> <p>Over the past five years £5.56m has been spent directly on cycling – providing new or improved facilities, promotion, training, events and information – this money has come from Local Transport Plan (LTP), central Government funding streams such as LSTF (Local Sustainable Transport Fund), contributions from new developments, and other partners such as Sustrans. This investment has brought successes with over 2 miles of new cycle facilities installed – either standalone or as part of wider transport schemes – on one route this led to a 45% increase in people cycling, working with workplaces and schools has delivered success with 5% of primary aged children cycling to school (up from 1%) and a local employer has seen a decrease of 12% in their staff driving to work, and through the award winning My Journey programme over 15,000 people are engaged in various activities and events across Southampton each year. This will continue into the future with £1.6m being spent on cycling infrastructure and activities in 2016/17.</p>

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	<p>Cycling has many benefits for citizen’s health, the city’s environment, supporting sustainable growth and regeneration, reducing congestion, social inclusion and improving safety.</p> <p>Response to the four points:</p>			<ol style="list-style-type: none"> 1. Cycle facilities on the public highway, such as marked cycle lanes on the carriageway, or shared cycle paths on footways are created by modifying legal orders (known as Traffic Regulation Orders through the Road Traffic Regulation Act 1984) and are maintained by the Local Highway Authority in this case Southampton City Council. Any changes (additions or removals or modifications) to these would be advertised publicly and consulted upon using statutory powers. Where cycle routes cross land that is not part of the public highway - such as across a park or Southampton Common – then these paths that permit cycling are done so by means of a byelaw that states it is permissible to cycle there. Any changes to such byelaws (to add or remove cycling for example) would need to be advertised and consulted publicly. Approval would have been sought from the Secretary of State, but this power is currently being devolved to Local Authority to administer. 2. As part of the planning process all developments over a certain threshold must produce a Transport Statement or Assessment that how the development impacts on the highway and demonstrate how it will mitigate against adverse impacts. This includes provide facilities for cycling – within the site through secure parking and storage and outside 3. <i>Cycle Southampton 2016-2026</i> is being produced as a method of setting out the City Council’s approach for investing in cycling over the next decade, acknowledging that as cycling grows and to meet the challenges we need a long-term strategy to invest in the cycle network and in the activities that support cycling. It takes the vision to transform Southampton into a true Cycling City where cycling is a daily norm not an exception, it is integrated into the city and its transport network, and where getting around by bike is simple, safe and attractive. This sets out the Southampton Cycle Network to create a connected, coherent, attractive and safe cycle network for the city. The City Council is planning to engage with stakeholders and the public on the draft document in Autumn 2016 and look to finalise early in 2017, and has commitments for delivering for cycling in Southampton and reporting on how it is going. This will complement the new Local Transport Plan (LTP4) due in 2017. It will take time and funding to implement on the ground and is an important document when bidding for additional money from developers, central Government and the Solent LEP to deliver. 4. All planning applications received by the City Council are available on the Planning Portal website for comment by everyone.
16.	Mr Simon Hill			

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	Management of Southampton Common		Councillor Rayment	<p>1) The Common is a major recreation asset for the communities that surround it and for the City as a whole. It used to be about 80% open heathland until the 1950s. Now more than 80% is woodland due to natural afforestation since grazing ceased at WWII. Much comprises forest trees with holly under-storey and bare earth or ivy groundcover. Such areas are dark and unattractive for recreation and appear to be of limited ecological value.</p> <p>2) Open areas now have to be maintained primarily by regular grass cutting. Since the 1990s this has been progressively withdrawn from many parts shown on the 1992 Draft Management Plan (DMP) to be maintained as amenity or park grassland, leading within a few years to their overgrowth with long grass, brambles, saplings and juvenile trees. These areas include (see map/approx. area in hectares in parenthesis – total 7.8ha):</p> <ul style="list-style-type: none"> A. between the Ornamental and Boating Lakes (0.5) B. NE and E of the Ornamental Lake/west of Coronation Avenue (2.0) C. the perimeter of the Showground and between The Showground and Coronation Avenue (0.8) D. the old race course and alongside the Coronation Avenue (0.5) E. between The Cowherds, Northlands Road entrance, the north east corner of the Old Cemetery and the Hawthorns Centre (1.5) F. the Carriage Drive from The Avenue to Highfield Avenue (1.5) G. the Carriage Drive from Highfield Avenue to the underpass (0.5) H. the area west of Richard Taunton School (now Avenue Campus) (0.3) I. areas west of nos. 33-46 Highfield Road/south of Highfield Avenue (0.2)

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				<p>3) I am unaware that any of these actions was carried out in accordance with a publicly agreed detailed plan and all in fact contravened the last comprehensive specification for The Common contained in the DMP. Areas A, B and C have been subject of presentments in previous years but despite promised action by Cabinet the amount of clearance has been no more than a tokenistically small proportion of what is needed.</p> <p>4) In the case of the last two areas (H & I), the withdrawal of grass cutting was accompanied by the planting by SCC staff in the 1990s and in 2007 of a double row of hawthorn saplings along much of Highfield Road in order to restrict public access. This undisputedly contravened primary legislation which forbids any works that would impede open access to a common. The resources of SCC, which is responsible for one of the largest and most important urban commons in the country, were thus expended in ignorance or wilful contravention of the most important part of national law affecting commons. Either possibility calls into question the competence of the professional staff involved and their mandate in the eyes of the public to continue to have influence over how The Common is run.</p> <p>5) The objectives behind each of these actions – unlawful or otherwise - have never been articulated through a coherent process of full public consultation, debate and agreement as a Council. Many of the areas were first left uncut at times when resources were not an issue. Even now the difference in resources to maintain many of the now 'lost' areas, had they been properly maintained throughout as amenity or park grassland, would be small.</p> <p>6) The changes seem to have been driven by individual SCC staff with considerable influence over how day-to-day management is carried out by the machine operators and thus able to pursue with impunity their own personal image of how they want The Common to become.</p>

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				<p>The motivation appears to have been to promote biodiversity through overgrowth with scrub, gorse and juvenile woodland by stealth. Areas have been left uncut sequentially such that the total effect over time on openness and reduction in areas useable for recreation were be less obvious and thus less likely to attract objection.</p> <p>7) A statutory duty to conserve/promote biodiversity has sometimes been quoted in support of the changes made to The Common over the last 25 years. However the relevant legislation (NERC Act 2006) states that every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. As set down by the 1844 Southampton Marsh Act, 1887 Public Health Act and 1906 Public Open Space Act, the primary role of The Common is recreation and, now defunct, commoning. There is specific legislation protecting some species and aspects of the SSSI west of The Avenue, but otherwise the general law therefore is that not even conservation, let alone promotion, of biodiversity should result in any diminution of the recreational potential and enjoyment of The Common. Biodiversity might be promoted without conflict with recreational potential by returning once open areas since lost to woodland to a more open and bio-diverse habitat. Such interventions have been attempted at considerable public expense (funded by Natural England and/or Forestry Commission) in two areas – east of the ornamental lake (c. 2006) and along the ditches of the Carriage Drive between Highfield Avenue and the underpass. However in both cases there appears to have been inadequate follow-up maintenance, by accident or design and they are now more overgrown than before. I am unaware of any follow-up assessment of the effectiveness of that public expenditure on the intervention works, which appears to have been entirely wasted. (This will be subject of FOI requests.) However, as if to compensate for these failures, biodiversity success has since been sought by leaving uncut adjacent areas that were until recently regularly cut. These include part of area B</p>


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				<p>(west of Coronation Ave.) and all of area G (Carriage Drive between Highfield Avenue and the underpass), resulting in yet further reduction in amenity grassland and recreational potential. The former was well used as a picnic area, being a more intimate and attractive area than the larger expanses of The Flats and the Showground. The latter was the historic feature/walking link between north Highfield and East Bassett and the underpass/main part of the common, which is now virtually unusable by those who want to feel safe. A particular issue is the Little Common, adjacent to Highfield Road. Incensed by the growth of the unlawful hedge to 3-4m high, overgrowth behind and the effective exclusion of the public, local residents organised a petition in 2008 to return the Little Common to the open landscape it had before the 1990s. The Leader of the Council authorised clearance and an Action Plan was prepared and agreed. After many hundreds of hours of volunteer work over 7 years and many days professional work funded by grants raised by the community, the unlawfully planted hedge and overgrowth behind it was removed and the area restored to open amenity or park grassland as it had been prior to the early 1990s. Some SCC staff were very supportive and helped complete the restoration in 2015 using machinery unavailable to volunteers. However, although volunteers can organise/carry out clearance of once open areas, the continued openness of those areas depends entirely on subsequent maintenance of adequate grass cutting by SCC staff - volunteers are not authorised or insured to operate grass cutting machinery. If grass cutting is withdrawn open areas soon revert to their overgrown state, leaving volunteers impotent to influence the permanent state of the common without the appropriate ongoing support of SCC staff. However this year the cleared areas on the Little Common were left very badly maintained or, in some places for the first time ever, entirely uncut by machine operators not so sympathetic to the local community's endeavours (and/or under instruction/with the tacit compliance from others with a similar view). One part, the Carriage Drive, which it had always intended would be kept as an amenity grass ride 10m-15m wide</p>

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				<p>between the cleared ditches (as shown in the agreed Action Plan attached), has been left in the last 2-3 years to become entirely covered with gorse with only a narrow uncomfortable muddy and unsafe-feeling track remaining. Recently when questioned as to why it had not been cleared as intended, and repeatedly requested, the Parks and Open Spaces Manager: announced that as he is paid to make such decisions and that he had now chosen to leave the Carriage Drive covered with gorse, albeit to be trimmed along the path at some unspecified date; facetiously suggested that those who had drawn up The Action Plan wanted to see a Common of no more than cut grass and lollipop trees. In fact the Action Plan proposes that the vast majority of the Little Common should be either undisturbed woodland or heathland restored from juvenile woodland, with only a small proportion kept as amenity or park grassland for the landscape and recreational benefit of local residents and the many who pass through/use the area. In effect that latter part of the Little Common Action Plan on which the local community had worked so hard over 7 years has this year been unilaterally discarded by SCC. There was no attempt to inform, let alone consult, the known group and residents' association that had been so involved in re-creating the openness of a small part of the Little Common, indicating a total disdain for the local community and ideas of how the Common should be managed that differ from those of the staff who in practice decide how it is kept. Conclusion The management of The Common must forthwith be placed in the hands of those who are genuinely committed to working closely with the local communities who use it. It should be removed from the prevailing influence of those who appear to treat The Common as tantamount to a personal fiefdom for the single minded pursuit of what amounts to an ecological hobby to the exclusion of the interests of the body of all users.</p>

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16.	<p>RESPONSE: The Common is a city wide asset which has a large number of diverse users. It is unique as being the only area of “countryside” within the city centre and when managing it the Council has to balance a number of, often conflicting, services it provides. The Common is much loved for its recreation, wildlife and events and the management of these has to be balanced within a climate of reducing resources and future savings. There is no intention to allow the area to become more wooded and we remain committed to the existing Management Plan (adopted in 1992) and the interim practices and principles circulated a couple of years ago.</p> <p>Part of our commitment we will work with the newly forming Common Forum to review our management plans and draw up a new one for the future. The management plan will need to reach a wide number of people due to the citywide status the Common has. Stakeholders are likely to include Common Forum (representing local residents), Natural England, SCAPPS, City of Southampton Society, Open Space Society, Local Wildlife groups, Cycling groups, orienteering groups, dog walkers, keep fit organisations (including park run) and various internal Council stakeholders. Detailed issues of management and maintenance can be dealt with during the management plan review.</p> <p>The Council remains committed to maintaining the Common in line with current evidence that shows that “countryside” type landscapes are better for health and wellbeing. This is considered to be in the spirit of the Southampton Marsh Act, Public Health Act and Public Open Space Act ensuring that the Common provides for the recreational needs of the residents of Southampton.</p>			