

Councillor Questions for Council 14th November 2013

(NOTE: The following question and response will be published on the Council's website as soon as possible after the meeting and linked to the published draft minutes of this meeting.)

1. Question from Councillor Roger Symonds

The bookshop tasked with promoting and selling books at the forthcoming Lit Fest is Waterstones/WH Smith, a national bookseller. This is a change from the previous bookshop, Mr Bs. Mr Bs is a local bookshop run by local people and fulfils the the Council's new procurement policy, so why was the Festivals Trust allowed to bring in a National Bookseller, which does not seem to fall within the Procurement Policy.

Can the Cabinet member clarify whether the Procurement Policy applies to "arms length" companies funded mainly by the Council, such as the Festivals trust and BTP. If not does the cabinet member agree with me that it should? If so what does he propose to do about this?

Answer from Cabinet Member for Sustainable Development

The Council's new Procurement Strategy was agreed by Cabinet in March 2013 and was formally launched at a "Meet the Buyer" event in October 2013.

As part of the framework a Social Value Policy and Toolkit has been developed which supports the principals of the "Think Local" policy throughout the supply chain. This will allow us to influence the behaviours of organisation that we fund or partner. This will be introduced as we re - commission services or by mutual agreement with partners.

In response to Cllr Symonds question regarding the change of booksellers at the Literature Festival the Council's current funding agreement requires the Bath Festival:-

"To ensure that it pays a fair market price for all goods and services which it purchases, and that Board members and staff declare any conflict of interest when selecting a supplier for the Organisation"

Clearly we would encourage partner organisations to "Think Local" however in this case it relates to a sponsorship opportunity, not a purchase of services. The process was conducted in the same manner as a tender process and was approved by the Trusts Board. This requires the Trust to take other factors into account to ensure the sustainability and success of the festival.

In return for supplying bookselling services to the Literature Festival, the supplier gets their name and logo prominently on the Literature Festival publications and on the website and physical presence at the events.

It is important to recognise in relation to the above points that Waterstones have a local high street presence with a shop in Bath City centre and consequently employ local people.

2. Question from Councillor Brian Webber

Within what period of time does the Council's code of practice expect written enquiries from members of the public to receive a reply or, if a full reply is not practicable in that timescale, a holding reply indicating how the enquiry is being progressed?

Does the same timescale apply to written enquiries from members of the Council addressed to individual officers?

Answer from the Leader of the Council

The current published standard for an acknowledgement by letter is 5 working days and a full response to a complaint within 15 working days. However, these measures have been in existence for a long time and are not consistently measured across the Council. They are now being reviewed along with response times for all forms of customer communications as part of a One Council Customer Service Excellence approach.

The Protocol on Councillor/Officer Relations within the Council's Constitution (approved by the Council on 12 September 2002 and updated following consultation with Group Leaders in November 2012) contains the following section at part 3.1 (d); 'Councillors can expect from officers [...] - Timely response to enquiries and complaints – as a minimum standard, the Council's targets for public enquiries of acknowledgement within 5 working days and substantive reply within 20 days will apply.

3. Question from Councillor Brian Webber

The requirement that a mid-year Treasury Management Monitoring Report be submitted to full Council stems, I understand, from the CIPFA Treasury Management in the Public Services Code of Practice (November 2011 edition), which the Council is required by regulations under the Local Government Act 2003 to follow or at least to have regard to. Please could the relevant extracts from the Code and the regulations be placed for perusal in the office of the Members' Secretary? Would it be in order for the Council to delegate the consideration of the mid-year Treasury Management Report to either the Corporate Audit Committee or the Resources Policy Development and Scrutiny Committee, who would have more time to devote to the task?

Answer from Cabinet Member for Community Resources

I would be happy to arrange for a copy of the code to be made available to members.

The Council is required by law (capital finance regulations 2003) to have regard to the CIPFA Code. Our treasury advisers Arlingclose, have indicated that they believe the phrase "have regard to" is understood to mean fully comply with, unless you have a good reason not to, where the good reason is something that was not foreseen by the Code.

One of the Code's recommendations is that the full Council will receive regular reports on treasury management including as a minimum a mid-year review.

The idea behind the mid-year report came from the CLG select committee into Iceland banks, where MPs were concerned that members would set a strategy in February and not get an out-turn report on that strategy for 18 months. Treasury management is one activity of the Council that can accidentally cost millions, so it is felt appropriate for Council to give this due attention.

Should the Council decide it did not wish to receive a mid-year treasury management report then the Council's Section 151 Officer would need to note partial non-compliance in the Council's prudential indicators. The Section 151 Officer would also need to refer to personal professional obligations under the CIPFA standard of professional practice on treasury management.

4. Question from Councillor Brian Webber

In urban streets bordered by trees, much leaf and sludge has accumulated in the gutter and/or at the inside edge of the footway. Which team is responsible for clearing these accumulations, because they seem too much for the manual broom-and-handcart litter sweeper, while mechanical clearance is often rendered impractical by the presence of parked cars?

Accepting that the recent exceptional weather must have made clearance more difficult, is clearance proceeding more slowly this year? Has there been any reduction in the time and manpower devoted to this service?

Answer from Cabinet Member for Caroline Roberts

Autumn is a challenging time for the cleansing teams and has been even more challenging this year because the absence of heavy frosts early in the season and the exceptional weather conditions meant that leaf fall continued into December. This has meant the leaf drop has generally been slower (over a longer period of time) and has therefore taken longer to clear. On top of the late season, staff have prioritised work connected with recent flooding and storm events and this has placed pressure on the service. There has been no reduction in manpower or time devoted to this service.