

**QUESTIONS TO BE ASKED OF EXECUTIVE
COUNCILLORS AT THE COUNCIL EXECUTIVE
MEETING 4th FEBRUARY 2004
(Agenda item 6)**

1. Question from Councillor Nigel Roberts

With the planning permission granted for Clark's Factory site and St. Martins, could the executive member please indicate what measures he is going to take to ensure rat running does not occur in local estate roads and to ensure that there is not grid lock in the area.

Is he prepared to reassure the residents of Odd Down that he will look at the problems already caused by heavy traffic and grid lock to the Frome road between 8-30am and 9-30am and 3:00pm and 4:00pm and come up with workable plans to alleviate this problem before the new houses are built.?

Answer to be given by Executive Councillor Sir Elgar Jenkins

The Authority have been in extensive discussions with the developer to minimise the impact. This has included contributions to bus facilities, junction improvements and calming works on Old Fosse Road. Both developers have also entered into agreements to develop and implement green travel plans which will minimise the traffic generation.

The traffic problems in this area are currently exacerbated by the Stone Mines works and the closure of Midford Road during the Wellsway scheme.

The issue of the existing traffic within the area is currently being studied to identify what can be done to alleviate the problem. Funding will be subject to priorities within the overall Transport capital programme.

2. Question from Councillor Charles Gerrish

Would the Executive Member for Transport and Highways consider implementing a review of car parking provision in Keynsham, particularly in respect to levels of parking charges, and implications for local residents?

Answer to be given by Executive Councillor Sir Elgar Jenkins

Car parking charges were introduced in Keynsham in November 1997 and have been reviewed once since then as part of the 2001/02 Review of Charges. The revised charges were introduced in July 2002. Most of the car parks currently operate close to capacity and income is approximately £250,000 per year. This is an important sum of money in the Transport Budget.

There will be a review of parking provision in Keynsham during the 2004/05 financial year.

Supplementary question from Councillor Charles Gerrish

As part of the investigation, will you seek to resolve the current confusion at the Civic Centre Car park regarding the enforcement policy for the 20 minute spaces and the use of the adjacent road by disabled people?

Answer by Executive Councillor Sir Elgar Jenkins

Yes, I will look into this.

3. Question from Councillor Dine Romero

The recent severe weather left several roads in Southdown dangerous & impassable. These roads are not main roads and so are not served by gritting lorries. They do not have grit bins. Alderly Road, for example, has a large proportion of elderly and infirm residents, but, despite repeated requests from both them & myself over the last 3 years, still has no grit bin.

Could the Executive Member tell me, and the residents of Alderly Road, when they can expect their grit bin?

Answer to be given by Executive Councillor Sir Elgar Jenkins

I am sorry that recent severe weather left roads not covered by gritting lorries in various parts of Bath and North East Somerset, for a short time, difficult for residents to use.

It would be very expensive to provide gritting bins and maintain them on all side roads in all parts of the Authority's area. Thus to decide fairly where these bins should be, criteria were carefully prepared. These criteria are set out below:

Bins will be provided:

- a) Where there is a 1 in 10 (10%) gradient or where there are steps used by a lot of people.
- b) At junctions away from main roads with a gradient in excess of 1 in 10 (10%) and where vehicle flow exceeds 200 vehicles per day.
- c) On hills with gradients in excess of 15% where vehicle flows were more than 200 vehicles per day
- d) On hills at locations with gradients in excess of 20% whatever the vehicle flow and which are not gritted.

I am sorry that, therefore, if roads in Southdown did not meet these criteria and a gritting bin is not provided. If Cllr. Romero can show that there are roads without bins that do meet the criteria would she please give their names

to Steve Howell. I would also suggest that elderly people try to limit their trips out in extreme weather, or use a taxi.

The criteria, I am sure she would agree, are overall fair and reasonable

Supplementary question from Councillor Dine Romero

Can I have confirmation that the Executive Councillor will allow no exception to the guidelines, regardless of the proportion of elderly people in a road?

Answer by Executive Councillor Sir Elgar Jenkins

No, I won't. I would urge elderly people to consider the measures I mentioned above.

4. Question from Councillor Caroline Roberts

Residents in the Newbridge area, like many others throughout Bath, have expressed concern about the increase in the seagull population in recent years. As the nesting season is about to begin, concern is again being raised about the need to control the numbers of seagulls.

As one of our residents and Mr Harwood (Environmental Protection Manager) have informed me the actions that have been taken by B&NES Council in the past are seen as being quite pioneering in their field. However, authorities such as Gloucester have introduced a free egg oiling service to householders who have nests that are accessible.

Furthermore, it has been suggested that householders could be informed by leaflet drop about the need to avoid feeding seagulls or providing them with food sources in other ways.

Will the Executive member be taking forward these measures before the gull population rises again later in the year?

Answer to be given by Executive Councillor Vic Pritchard

The Council's current involvement with roof nesting gulls extends to provision of advice and information plus experimental egg oiling on accessible roofs where there are concentrations of nests around the city centre.

The egg oiling trial has been ongoing over the last two breeding seasons implementing the decision made by council following a report in November 2001. Initial results indicate that there is a reduction in gull nuisance in the vicinity of buildings on which eggs have been treated. Each applications to join the egg oiling trial by owners of properties with concentrations of accessible nests is evaluated by the Pest Control Service. A suitable charge is levied if oiling takes place.

The viability of egg oiling as a means of significant gull population control is not, as yet, proven. Application of considerable resource over a number of years could be effective. The results of larger scale oiling programmes in cities with mature colonies, such as that begun in Gloucester last season, will be kept under review. Again it is mainly eggs in nests concentrated on accessible roof expanses that are being treated.

Under the terms of the general licence issued to councils which permits interference with certain types of gull eggs, such intervention is allowed, so far as Bath's egg oiling scheme is concerned, where the purpose is to preserve public health and safety.

In Bath the nuisance caused by gulls which threatens public health and safety is most apparent in and around the city centre. This is the location of the centre of the colony and also where the birds often interface and effect concentrations of people. This factor together with:-

- the limited resources available to the service at what is in an intensive period for dealing with other pests,
- the inefficiency of visiting roofs with few nests (each roof has to be visited three times during the breeding season),
- the health and safety implications associated with visiting nests on typical houses,

mean that extending the egg oiling trial to householders is not a viable proposition whether as a free or chargeable service.

The primary factor responsible for the growth of urban gull populations is breeding success at urban nest sites rather than immediate availability of any waste food supply generated by humans. There is no evidence that deliberate feeding of gulls is a problem in Bath or that to restrict opportunist scavenging of waste food sources in close proximity to the colony would have any effect upon expansion of the colony. Any instances of routine deliberate feeding of gulls or habitual untidiness leading to scavenging by gulls can be investigated and discouraged by officers. It is unlikely that a leaflet drop to all householders on the subject of feeding gulls and the protection of potential waste food supplies will have any significant impact on the predicted expansion of the gull colony.

5. Question from Councillor Lynda Hedges

Could the Leader of the Council tell me the implications of the 1982 Bye Law on Lymore Ave Playing fields with regard to the proposed building of a new school for St John's?

Answer to be given by Council Leader Paul Crossley

The proposed design for the new school includes an area for parent parking. This parking area is on land which, it transpires, is protected by the bye-law referred to in the question. The implications are that, without revocation or amendment of the bye-law, it will be impossible to construct the car park on this area and that the scheme cannot be implemented in its present form. We are seeking advice from the Office of the Deputy Prime Minister on the process by which bye-laws can be revoked or amended.

6. Question from Councillor Lynda Hedges

Could the Executive Member for Education tell me if there is a time limit to the Government funding for a new school for St John's?

Answer to be given by Executive Councillor Jonathan Gay

I am advised that there is no time limit. The original DfES approval for the development of this scheme was granted, in 2000, on the basis that the school buildings are inadequate. Clearly they have not improved so the need for the project remains. Future progress of the scheme (as with all Voluntary Aided projects of this type) will be subject to further DFES approval at the appropriate time. DfES can change its mind. I am told that this has never happened in the past. I am sure the Councillor would join with me in wishing to see a new school constructed as soon as possible in order that children in the area, staff and the community can gain the benefit at the earliest possible opportunity.

7. Question from Councillor Lynda Hedges

Could the Leader of the Council tell me if he agrees with me that no further Council resources should be spent challenging the bye law that was introduced to protect the playing fields at Lymore Ave?

Answer to be given by Council Leader Paul Crossley

Firstly, it is important to clarify with the Office of the Deputy Prime Minister the precise process and likely success of removing this bye-law. I am not prepared to spend Council resources to overturn a bye-law and I would propose an alternative site is investigated as part of the South and Central Bath area review, starting in the summer term.

8. Question from Councillor Lynda Hedges

Could the Leader of the Council, or the Executive Member for Lifelong Learning, tell me if they are now going to tell St John's school that the land at Lymore Ave is no longer available to build a school on, due to the problems with the bye law that prevents vehicular access to much of the site?

Answer to be given by Executive Member Jonathan Gay

It is for the Council to decide whether it wishes to withdraw its offer of Lymore Avenue as a site for the new school. Without revocation or amendment of the bye-law, the scheme cannot proceed in its current form.

9. Question from Councillor Lynda Hedges

Could the Executive Member for Education tell me if he agrees with me that an urgent search must now take place to find a new location to build a new school for St John's?

Answer to be given by Executive Councillor Jonathan Gay

Should the Lymore Avenue site prove to be unsuitable, then an alternative location will be sought as a matter of urgency.

The Councillor may be interested to know that, for the purposes of planning school places, St John's Catholic Primary School forms part of the North & Central Bath area which is currently under review. The outcome of this area review is not for me to judge at this point. However, given the pressing needs of this school for improved facilities it would seem likely that one outcome may be the identification of St John's as in need of relocation and replacement. If I am proved correct then an urgent search for a suitable site will take place. The Executive will have the opportunity to decide on this at its meeting on April 7 2004.

10. Question from Councillor Lynda Hedges

Could the Leader of the Council or the Executive Member for Lifelong Learning tell me when the 1982 bye law was first known about, and when it's implications were first understood?

Answer to be given by Council Leader Paul Crossley

Education Officers were made aware of the bye-law on Monday December 8th 2003.

The probable implications were immediately clear. The precise implications cannot be confirmed until we receive further advice from the Office of the Deputy Prime Minister.

11. Question from Councillor Hilary Fraser

There is a good deal of evidence that early morning swimmers at the Bath Leisure pool are suffering discrimination in respect of water temperature due to the cessation of the practice of covering that pool overnight.

It has been found that on some occasions recently the water is only 24c when first users attempt to swim.

Some of these people resort to exercising in the small warmer pool in order not to seize up, thus inconveniencing others there who wish to relax.

Many early swimmers, of all ages, are fit and have every right to swim on a regular basis, rather than on Thursday only, when the main pool, as we know, is marginally warmer.

I understand that some early swimmers who have metal plates fitted, find they have to warm up before entering a too-cold pool. They certainly do not get that "warm up" from the showers.

Questions to the Executive Member for Leisure:

- 1 - Were all swimmers consulted about the loss of overnight cover?
- 2 - Can the Executive Member establish when the pool cover ceased to be applied overnight?
- 3 - On what grounds has the cover been discontinued?
- 4 - If a cover was included in the original specification, why is it not being used now? What has changed?
- 5 - What evidence is there for budgetary provision for a restored or new cover?
- 6 - When will Aquaterra renew the pool cover?
- 7 - When will Aquaterra provide water temperatures at the start of the day that make it possible for all users to enjoy a swim as they have paid for?

Answer to be given by Executive Councillor Nicole O'Flaherty

Taken in order the responses are;

- 1 - There has been no cause to consult on this matter as the cover was taken out of use some time ago for operational reasons
- 2 - It is believed that the cover was taken out of use in 2000
- 3 – The cover was operated by means of a motor which retracted it. It was taken out of use over three years ago when the motor failed. An operational decision was taken at that time not to repair the motor. This is because the purpose of the cover is to conserve heat and thereby reduce heating costs. The saving on heating costs was not sufficient to justify the cost of repair. As the temperature of the pool is thermostatically controlled, there is no adverse impact on pool temperatures.

4 - The use of a cover is not specified and use was discontinued prior to the appointment of the Council's Leisure Partner.

5 - Neither the Council nor Aquaterra have budgetary provision to repair the motor. I am told by officers that the water is now controlled now and a cover would not have an impact.

6 - There is no plan to renew

7 - The pool temperature is monitored and recorded several times a day and the results indicate that temperatures are consistently achieved in the range which meets the published guidelines. For active users, the target temperature is 28.5C and whilst (because pool temperatures will necessarily fluctuate) there will be some variation, records indicate that the average pool temperatures are above 28C (except on Thursdays when they are warmer) and that the pool is not cooler early in the morning.

I am aware that people have been upset by this and we are now doing independent tests. I am sorry that this issue is ongoing but we are working hard to sort it out.