

**QUESTIONS TO BE ASKED OF EXECUTIVE
COUNCILLORS AT THE COUNCIL EXECUTIVE
MEETING 3rd MARCH 2004
(Agenda item 6)**

1. Question from Mr Kennedy of OP Motors, Wellsway

1. In the light that there has never been an accident with vehicles turning right opposite my garage, why are you determined to close the gap?
2. Why have you decided to leave the gaps open opposite no 70 and for the bowling club, when you are insisting on closing the gap opposite my business?
3. Why was the only consultation to see whether my 45 foot 3.5 tonne vehicle recovery trucks could turn left done by an officer on a computer? And why was it only when I got the press involved that an officer actually came to see the problem itself? How can you say that it is safe for these trucks to turn left when it entails moving at least one vehicle from the forecourt, whereas turning right across Wellsway has never been a problem in accessing the forecourt and workshop?

Answer given by Executive Councillor Sir Elgar Jenkins

1. Currently, to enter the garage, vehicles cross the busy A367 dual carriageway at the Wellsway/Midford Road junction. This is clearly not a safe procedure especially with large vehicles 45 foot long weighing some 10 tonnes. This is the reason we are closing the gap.
2. 3 gaps were left open to help residents and the Nursery and Bowls Club located on the Wellsway. Business is not affected as access is still available.
3. I also wondered when I came into the job why such things are assessed by a computer but I gather it is normal practice for traffic engineers to assess vehicle movement with computer simulation. However, in this case it would have been sensible not only to have sent a note regarding the computer simulation but also for an officer to have met with Mr Kennedy on site as well. I don't accept though that there weren't earlier communications. An officer has now attended the garage and a member of Mr Kennedy's family drove the vehicle into the garage. This demonstration proved that the vehicle could access the site by turning left into the garage. It is correct that one vehicle needs to be moved from the forecourt. The Council has provided dropped kerbs to facilitate this manoeuvre. Left turning manoeuvres are actually inherently safer than right turns across streams of traffic or straightforward movements across streams of traffic. For this reason the position will be safer.

It is accepted that a slightly longer journey will take place but the garage will be able to carry out its business as it has always done.

2. Question from Councillor Shirley Steel

Could the Executive member give an update on the progress made with Jobcentre Plus in relation to a Job Centre presence at The Hollies?

Answer given by Executive Councillor Colin Darracott

I thank the Member for her question seeking an update on progress made with Jobcentre Plus in relation to a Job Centre presence at the Hollies.

I am pleased to confirm that the Council remains engaged in substantive discussion with Job Centre Plus, at local and regional level, concerning a Job Centre Plus presence at the Hollies, but also confirm that we are waiting for Jobcentre Plus to publish their future regional plans with regard to local provision, following their recent wide and inclusive consultation exercise, before we move further forward with this initiative.

Supplementary question from Councillor Shirley Steel

Is the Executive Member aware that there is only another 6 weeks or so before the Job Centre closes?

Answer given by Executive Councillor Colin Darracott

I'm not sure it is going to close; the situation is uncertain at the moment.

3. Question from Councillor Chris Watt

The Member of Parliament for Wansdyke has suggested in the local press that if his constituents were refunded money spent on the Bath Spa, a typical North East Somerset family with two children would receive a Council Tax cut of around £260.

Could the Executive Members responsible for Tourism, Leisure and Culture, and Resources confirm whether this figure is accurate taking into consideration all costs (including interest charges)?

Answer given by Executive Councillor Nicole O'Flaherty

The consultants are currently working on a report for the Council relating to the issue of the pool paint, and delays occasioned by that situation. The costs of various options to resolve the paint problem, and assumptions made relating to those cost estimates are part of that report, which is not yet finalised. In view of this, it seems inappropriate to comment on the question asked by Councillor Watts, except to say that a public statement will be made

as soon as possible about the situation, which will contain the answer to the question raised.

4. Question from Councillor Peter Edwards

At the January meeting of full Council a petition in respect of re-opening the Whitchurch Village post office was referred to the following Executive members for consideration:

- i) Economic Development
- ii) Sustainability and the Environment
- iii) Social Services

How have these members of the Council Executive considered the petition?

Answer given by Executive Councillor Colin Darracott

I thank the Member for the opportunity to view the petition concerning the re-opening of Whitchurch Village post Office. I understand that the petition has been forwarded to Post Office Counters Ltd. by the shop proprietor directly.

As the Member will appreciate, Local Authorities have little direct influence over the commercial decisions taken by the Post Office, we are currently seeing urban Post Office services being closed as part of a national process, throughout the Council area.

I have however, asked officers within Sustainability and Economic Development to approach Post Watch, the national Postal 'watch dog' organisation, and the shop proprietor with a view to developing further the business case being presented to Post Office Counters in support of the application to re-open the village post office.

Officers will liaise with Cllr.Edwards directly on this matter.

Answer given by Executive Councillor Rosemary Todd

I thank the Member for the opportunity to view the petition concerning the re-opening of Whitchurch Village post Office.

I consider the provision of local services, such as Post Offices, and particularly provision of local services in rural areas, an essential component of local community sustainability.

This Council directly finances a village shop advice service and village shop grant scheme, which may be of benefit to the Whitchurch village shop proprietor, and the local community, under these circumstances, to help support the development of a business case or take other actions, in terms of shop improvements. I have asked officers within Sustainability and Economic Development to raise this with Community Action and ensure the village shop proprietor is aware of this support service.

Answer given by Executive Councillor Francine Haerberling

Naturally, the Executive Member for Social Services deplores the loss of a village amenity such as its Post Office. To respond specifically to the question about its impact on Social Inclusion would require significant amount of research into the demographics, transport etc of the village. As it is unlikely that the Executive Member for Social Services could impact on the decisions of a commercial organisation which the Post Office now is, such research would not at this stage seems a sensible use of Council resources

Supplementary question from Councillor Peter Edwards

Thank you for the encouraging response. Would a step forward be to enlist the help of the local Member of Parliament?

Answer given by Executive Councillor Paul Crossley

Yes, I would recommend you do that.

5. Question from Councillor Shirley Steel

Aquaterra have recently made proposals that will reduce the number of lanes available to swimming clubs at Midsomer Norton sports centre. This will particularly affect the Norton-Radstock swimming club. The club have suggested in the local press that these proposals will take away their ability to operate as a teaching club and as an effective competitive club.

- 1) What is the view of the Executive member on these proposals?
- 2) What will the Executive member be doing to ensure the needs of the swimming club by Aquaterra are taken into account when a decision is made?

Answer given by Executive Councillor Nicole O'Flaherty

1) Aquaterra's aim is to increase the availability of pools for public use and in principle, I support this. At present, Aquaterra are meeting the requirement to consult on any suggested changes. Once responses have been received, the Council will agree a way forward. I totally support the continued use of our pools by the clubs. These clubs have for many years taught and developed young people with real benefits to health and well-being. I would take extremely seriously any suggested change which conflicted with the aims of the clubs and would not support any change which impaired the clubs' ability to teach or effectively compete.

2) I will wish to assure myself that the wishes of the clubs have been taken into account before agreeing to any changes. I personally asked that this item be kept under review at the regular Partnership meeting which I attend with other Council representatives and representatives of Aquaterra's

directors and trustees. I will be meeting the Chairman of the Swimming Development Group (a partnership between the council and the clubs) next week and officers will be meeting representatives of the ASA on my behalf to discuss how any proposals might affect the clubs and their accredited status.

No changes will take place until full consultation has taken place and changes would only be agreed where the Council is assured that any concerns expressed by the clubs had been adequately addressed.

6. Question from Councillor Betty Perry

Will the Executive Member responsible for the re-development of the Greenacres site please tell me when and why the decision to take a partner was taken?

Why, having gained permission to replace the old Greenacres home with a 60 bedroom accommodation, has it been necessary to alter this specification? And why was it necessary to seek a partner that could offer extra land for new build?

The appointment of Somer Housing Trust as the partner has caused unnecessary suffering to elderly residents happily living in sheltered accommodation at Greenacres; was the Executive Member unaware of the trauma and anguish that this decision would cause the residents, many of whom have lived there for a great number of years? They resent the way that the decisions were taken without, in their opinion, prior, proper consultation. It was not until February 10th this year that they were told of what was going to happen; they pay their Council Tax to Bath & North East Somerset Council and, because their homes are affected, have a right to be properly consulted. As one resident said "We may be old but we are not decrepit.

Answer given by Executive Councillor Francine Haerberling

The decision to appoint a Registered Social Landlord (RSL) partner to develop with the Council and fulfil the Landlord functions of the sheltered and extra care housing elements of the Elderly Persons' Homes re-provision strategy was made on 10th March 2003 by the Leader of the Council following consultation with Housing & Social Services Overview and Scrutiny Panel (of which I was a Member) and others.

A report setting out the detailed rationale for this decision and the process to be followed to appoint the RSL partner can be provided to Cllr Perry, if this would be helpful. Alternatively the report is available on the Council's Information Service under the Agenda for Housing, Social Services and Community Safety Overview & Scrutiny Panel, 6th February 2003.

The decision to build a new centre for older people, incorporating 30 registered care beds and 30 extra sheltered care flats on the Greenacres House site or, if available, another more appropriate site in Midsomer Norton

was reached by the Council Executive on November 6th 2002. This plan has not changed.

A partner RSL was sought in part because of the potential "added value", through the contribution of finance and/or land or other assets that a RSL could bring to the overall project. Also, because the appointment of an RSL partner offered the potential for taking a strategic approach to the provision of accommodation for older people across a spectrum from sheltered housing, through extra-care house to registered care and nursing care.

Throughout the development of the new model of care for older people there has been extensive consultation.

With reference to the particular proposals for the Greenacres site. The Board of the Somer Community Housing Trust approved the proposal to re-develop part of the Greenacres site at their meeting on 3rd February 2004. This followed on from the Somer being appointed as the RSL partner to work with Bath & North East Somerset Council on the development of extra care housing in Midsomer Norton and Keynsham. Somer commenced consultation with residents living next to the site that was previously occupied by Greenacres House as soon as possible after the Board's decision on 3rd February. An initial meeting with residents was held on 10th February 2004. Residents are being consulted on the basis that they may be affected by the development of the new centre for older people in Midsomer Norton.

A follow-up meeting was held on 19th February 2004 and those residents living in those areas which are most likely to be affected by the new development seemed to be generally in support of the proposals.

Somer have given the assurance that residents affected by the scheme proposals will be compensated for any inconvenience and any costs incurred. A specialist team from Somer will be on hand to help every resident with the whole process of moving, from sorting out removal companies, through to ensuring phones lines are re-connected in order to minimise any worries the residents may have. The residents moving to the new scheme will have the opportunity to be closely involved in the design and specification of their new home, offering the potential for them to personalise their new flat, should they wish.

Supplementary question from Councillor Betty Perry

I did ask, and am still not certain, when the decision was taken to alter what had originally been brought to Council when we were told 8 Care Homes in Bath & North East Somerset where to be replaced by 3 purpose built homes. I remember when Councillor Haerberling spoke passionately in favour of 60 bed homes. Does the Member agree that residents were not consulted but informed?

Answer given by Executive Councillor Paul Crossley

When the decision was taken is contained within the response. Consultation was done through the Overview & Scrutiny Panel.

7. Question from Councillor Caroline Roberts

During the recent cold spell of weather (January 28th/29th) the refuse was not collected from many households in the Newbridge area for over a week.

The reason given for this was that all of the Council's refuse lorries (6 I am informed) were out of service.

Could the Executive member confirm that this was the case and if so, what measures have been put in place to ensure that this does not happen again in the future?

Answer given by Executive Councillor Rosemary Todd

Refuse collection was not carried out from all properties in the Newbridge (and other) areas on Thursday 29th January because of the snow which fell on the previous day and overnight. As with the snow last week, the snow froze overnight and most non-principal roads and footways were untreated. In adverse weather conditions, we assess the risk of operating refuse collection freighters in icy and restricted areas and the risk to the staff of injury when carrying refuse from properties to vehicles.

On that occasion, we decided to suspend most scheduled refuse, recycling and organic work collections on the 29th January. All lorries were in good order and capable of working had conditions been safe.

In order to catch up, we asked crews to work later on subsequent days and staff to come in at the weekend to help clear the back log where refuse had been left out for collection. Any remaining refuse was then collected on the following Thursday.

We have now issued a Press Release and will e-mail all Councillors should such circumstances occur again and this has happened already when collections were suspended on February 27th.

Supplementary question from Councillor Caroline Roberts

The information given out over the Action Line to residents was that the refuse vehicles had broken down. Could the Executive Member please ensure that any information given out to residents in future is correct.

Answer given by Executive Councillor Rosemary Todd

Yes.

8. Question from Councillor Caroline Roberts

Could the Executive member inform us when the strategic walking route from the city centre to the RUH, and associated pavement improvements, is to be completed?

Answer given by Executive Councillor Sir Elgar Jenkins

In February 2002, 9 pedestrian routes were identified in the Bath City Network document. A route was drawn up linking the City Centre to Weston village via the Royal United Hospital.

This identified improvements that could be carried out along the route to enhance pedestrian movement. Efforts have been concentrated on providing specific crossing facilities at locations on the 9 routes including dropped kerbs/tactile paving.

The route is complete in outline but there are still a number of minor improvements needed to complete the project. These will be done as soon as possible.

Supplementary question from Councillor Caroline Roberts

I note that there was no specific mention of pavement improvements; would the Executive Member not agree that a good condition of the pavement surfaces is an important part of a walking route? And could this be included?

Answer given by Executive Councillor Sir Elgar Jenkins

Yes.

9. Question from Councillor Chris Watt

There have been rumours circulating that the lone provider of Housing Specialist Help in our area under the Community Legal Services Legal Aid programme is due to withdraw the service. I have confirmed with Stone King of Bath that they have no such plans to discontinue the service. The firm provide an excellent and worthwhile service for the community and I congratulate them on their commitment.

I am however concerned that there is limited provision in the North East Somerset area.

Would the Executive Member consider writing to the Community Legal Service highlighting the fact that no such service currently exists in the North East Somerset area of B&NES and ask whether any plans are being made to provide such a service in the future?

Answer given by Executive Councillor Vic Pritchard

As Councillor Watt is probably aware, the specialist housing service provided by Stone King under the legal aid programme can be used by residents living

in the North-East Somerset part of the area. However, the Executive Member agrees that access to this specialist legal assistance by residents in North-East Somerset might be improved if a Solicitor located in North-East Somerset were to offer this assistance. The Executive Member thanks Councillor Watt for highlighting this issue and will write to the Community Legal Service along the lines suggested.

10. Question from Councillor Gail Coleshill

Will the executive member make sure that the request from the planning B committee for there to be a list of buildings of historic or aesthetic interest within the council area presented as part of the local plan is implemented immediately?

Answer given by Executive Councillor Rosemary Todd

There is a policy in the Local Plan relating to the protection of Locally Important buildings (Policy BH.5). This policy has supporting text which makes reference to the production of a list on the basis of explicit selection criteria. The fact that there is a policy in place is important and it can be used where appropriate (indeed it was referred to in the successful appeal on the Signal Box at Wellow). While having a fully worked up list would be helpful, it is probably not critical to an Inspector when considering whether or not a building is worth retaining.

We shall be producing a provisional list of locally important buildings, based in the first instance on officer knowledge, and these will include such properties as are known to be under threat. The work on a wider list will need to be based on community involvement and will be part of the Services' work programme for the next financial year.

In her question, the Member made reference to a request for such a list by the D.C. Sub-Committee; however, I have found no reference to a decision on this point in the minutes.

Supplementary question from Councillor Gail Coleshill

The reason I asked this question was because there are a number of buildings which are not protected and at risk ie; the cinema in Keynsham amongst others. Would the Executive Member not agree that, if such a list does not exist yet, are these buildings not being placed at risk?

Answer given by Executive Councillor Rosemary Todd

No, I don't agree as there is increasing weight being given to the Local Plan and the recognition of locally important buildings. The Policy itself gives some weight.

11. Question from Councillor Chris Watt

What revenue was generated from the 28 orders received in response to the Valentine's flowers promotion?

Answer given by Executive Councillor Nicole O'Flaherty

26 orders were received at a total value of £580.40 (including VAT and delivery)

12. Question from Councillor Chris Watt

Could the Executive member provide a breakdown of costs to include; Cost of Flowers, Direct Labour, Promotional Costs, Deliveries, etc.?

Answer given by Executive Councillor Nicole O'Flaherty

Approximate costs;	
Cut flowers (172 no.)	£283.80
Labour	£73.00
Transport	£12.00
Overheads *	£44.26
Total	£413.06

*Promotional costs incurred were web page design which is met from overhead costs

Supplementary question from Councillor Chris Watt

Given that the fully loaded costs for the Council vehicles alone amount to nearly 50p a mile, would the Executive Member not agree that having delivered at least 26 deliveries around Bath, is it not inconceivable that only 30 miles were travelled?

Answer given by Executive Councillor Nicole O'Flaherty

The vehicles were not used primarily for delivery. This cost is the added cost to the Council above the usual running costs.

13. Question from Councillor Chris Watt

Can the Executive member confirm whether or not the Parks Department's premises are rateable and whether they pay any business rates?

Answer given by Executive Councillor Nicole O'Flaherty

Rates are not paid on the nursery as the land is classed as "agricultural use" but Business Rates are paid on the Parks section's other depots

Supplementary question from Councillor Chris Watt

Would the Member agree that, on the basis that this initiative is intended to lead to a reduction in Council Tax, and this would lead to a reduction of only 0.003% (if I have got the maths right), it will only make a limited contribution?

Answer given by Executive Councillor Nicole O'Flaherty

It is worth remembering that this Council, like all others, is regularly reviewed by the Audit Commission who instructed the Parks department that they should better advertise this service to maximise income to the Council. The Council has done nothing which conflicted with advice given.