

CABINET MEETING 5th December 2012

REGISTERED SPEAKERS

Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

Statements about issues NOT on the Agenda

- Amanda Leon (Radstock Action Group)
Re: Radstock Regeneration
- Amy Lunt (Safe Streets for Widcombe)
Re: Pedestrian crossings at White Hart Junction, Widcombe
- John Sprately
Re: Radstock Jubilee Oak

QUESTIONS AND ANSWERS - COUNCILLORS

M 01	Question from:	Councillor Brian Webber												
<p>(a) In the recent election for a Police and Crime Commissioner how many presiding officers and poll clerks were employed at polling stations in Bath & North East Somerset, and what was the total of the payments made to them for their service on polling day? How (approximately) did those figures compare with recent elections?</p> <p>(b) If significantly more poll clerks were appointed for the PCC election than is usually the case, was this a local decision or on instruction from the Electoral Commission or the Home Office?</p> <p>(c) If Council employees are paid for service at polling stations, do they have to forgo a day of paid annual leave?</p> <p>(d) Will the cost of the PCC election be borne by the Council?</p>														
Answer from:		Councillor Paul Crossley												
<p>(a)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%;">Number of Presiding Officers:</td> <td style="width: 10%; text-align: center;">108</td> <td style="width: 10%;">paid</td> <td style="width: 45%; text-align: right;">£26,950</td> </tr> <tr> <td>Number of Poll Clerks:</td> <td style="text-align: center;">205</td> <td>paid</td> <td style="text-align: right;">£32,650</td> </tr> <tr> <td colspan="3" style="border-top: 1px solid black;">Total payments to polling station staff:</td> <td style="text-align: right; border-top: 1px solid black;">£59,600</td> </tr> </table> <p>At the previous elections (Local Government elections combined with Referendum on the AV system, held in May 2011), we employed 114 Presiding Officers and 219 Poll Clerks, resulting in staff payments for £75,930.72 (combined elections attract an increase in the staff fees). As the local elections were combined with a national referendum, Bath & North East Somerset Council paid 50% of the staffing cost, while the remaining 50% was funded by central government.</p> <p>(b) At the PCC election we employed fewer staff, as fewer polling stations were used on this occasion. The Returning Officer follows the directions/advice from the Electoral Commission on polling station staffing levels.</p> <p>(c) Under current arrangements, the Council grants paid leave of absence from work during normal working hours to those employees who have been appointed by the Returning Officer to act in an official capacity at elections.</p> <p>(d) No, the election is funded by central government.</p>			Number of Presiding Officers:	108	paid	£26,950	Number of Poll Clerks:	205	paid	£32,650	Total payments to polling station staff:			£59,600
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M 02	Question from:	Councillor Brian Webber
<p>(a) The draft Scheme published for public consultation relating to the Recreation Ground Trust, Bath, relegates the role of Bath & North East Somerset Council from sole trustee to mere custodian trustee. Will that matter be referred to the Council meeting on 17 January 2013 for consideration?</p> <p>(b) The draft Scheme will, by virtue of the alteration of the charity's purposes, result in the charity taking full possession of the Sports and Leisure Centre and the car park below. On the basis of the Council's past experience and future expectations, does that mean the charity will assume a loss-making burden or will acquire gratis a profit-making operation?</p> <p>(c) Very approximately, how much does the car park below the Sports and Leisure Centre contribute annually to the Council's general revenues via the parking budget; and how much financial subsidy does the Council provide annually to the running of the Centre?</p>		
Answer from:		Councillor Paul Crossley
<p>(a) The following replies are derived from answers given to the Trust Board on the 29th November in response to similar question. Time was provided during the meeting to enable a general question and answer session involving members of the public together with ward Councillors. Several questions were raised and clearly answered.</p> <p>The publication of the draft scheme is a major step forward. Now, turning to the detail my responses are:</p> <p>As the sole trustee currently, the Council(acting as it must through the Trust Board) has as part of its proposed decision accepted that the basis on which the land is held will change. Once that substantive decision is made its consequential implementation will be a matter for the Divisional Director (Property Services) acting under delegated powers in accordance with normal practice.</p> <p>(b) The leisure centre including the car park below tends to break even in recent years; that has been the average experience at outturn taking into account client and contractor and costs in recent years, with variations of about £75K between years, up or down. The leisure centre would benefit from improvement and neither the Trust nor the Council has so far provided for this.</p> <p>The scheme does not indicate how the running of the leisure centre will be regulated but instead permits the existing uses to continue. It is in the interests of the Trust and the Council to agree a way forward that provides a sustainable arrangement so that the existing uses can continue and hopefully be improved. This matter is referred to in the Trust's letter to the Charity Commission included within the Trust Board agenda for the 29th November. The scheme permits the trust to invest in the leisure centre.</p> <p>(c) The above answer includes the income from car parking which approximates to £150,000. How this will be treated in future is dependant on the nature of the arrangement between the trust and the Council in relation to the management of the leisure centre as a whole. The net subsidy is referred to in the answer to the previous question and over the last three years on average has been nil (before depreciation).</p>		

M 03	Question from:	Councillor Tim Warren
<p>Given the impact which recent heavy rain has had in Bath and North East Somerset, including severe flooding of local highways, will the funding which was cut from drain and gulley cleansing in last year's Council budget now be restored in the forthcoming budget?</p>		
Answer from:		Councillor Roger Symonds
<p>The recent flooding of highways has resulted from heavy rain falling on already saturated ground, the insufficient capacity of rivers, watercourses and drainage systems to cope with these extreme conditions. There are no proposals to increase funding in the routine gulley cleansing budget.</p>		

M 04	Question from:	Councillor Patrick Anketell-Jones
<p>Can the Cabinet Member please detail what the cost will be of removing and replanting the Oak tree in Radstock?</p>		
Answer from:		Councillor Paul Crossley
<p>Due to the local significance of the oak tree in Radstock, the Cabinet are relocating the tree to Writhlington School to provide the best possible chance of survival. The cost of relocating the tree is £17352 (plus some internal staff time), which includes all traffic management and tree specialists who will oversee the transplanting. In addition to this, the Council is working with with Writhlington School and Norton Radstock College to propagate cuttings from the tree taken earlier this year.</p>		

M 05	Question from:	Councillor Tim Warren
<p>When will the results of the consultations on the proposed 20mph limits be published for public viewing?</p>		
Answer from:		Councillor Roger Symonds
<p>There are 15 schemes in total and these are on a two year rolling programme. We are currently progressing scheme No. 7 Radstock/Westfield.</p> <p>Only 1 of the 15 schemes has gone through the formal consultation process to date, this being the Southdown and Twerton scheme and the results of the consultation have been published on the Democratic Services web page (Officer Delegated decisions).</p>		

Once the other schemes have gone through the formal consultation process the results will also be published on the Democratic Services web page (Officer Delegated decisions).

M 06	Question from:	Councillor Geoff Ward
What is the expected impact on our Planning Department of the proposed HMO Article 4 Direction? With permitted development rights removed throughout Bath, how many applications per year do you expect to receive and what will be the estimated cost to the Authority? Are sufficient resources available and have this been budgeted for?		
Answer from:		Councillor Tim Ball
<p>Implementation of the Article 4 Direction over HMOs in Bath will entail costs to the Planning Service. These are non-recoupable because no fee can be charged for applications triggered by the Article 4 direction. Exact costs will depend on actual numbers of applications. It is estimated that approximately 75 extra applications could be triggered a year, and this could incur direct costs to Planning Services of around £30,000.</p> <p>The additional costs relate to:</p> <ul style="list-style-type: none">• Dealing with additional applications (assumptions, based on current activity, have been made about proportion going to appeal or to committee which incurs further cost);• Increased enforcement activity; and• Increased third party enquiries. <p>Any additional costs from this activity will need to be accommodated within the Planning Service budget.</p>		

M 07	Question from:	Councillor Geoff Ward
On Additional Licensing for HMOs, what is the potential impact on the existing Housing team and are sufficient resources available? How will the HMO licensing scheme address the neighbouring residents concerns in respect waste management, noise, untidy and unkempt gardens and car parking etc?		
Answer from:		Councillor Tim Ball
<p><i>Introducing additional licensing for all HMOs across the three south Bath wards of Oldfield, Westmoreland & Widcombe would bring between 700 and 1400 additional HMOs into licensing. This is a significant operation task which would require additional resources. Based upon our experience of licensing, and that of other authorities, the increased resources required equate to 4 FTE per 1,000 HMOs licensed. However,</i></p>		

fees can be levied to cover the administration costs of licensing including publicity, back-office functions & inspections and as such licensing should be cost neutral to the Council.

The primary purpose of HMO licensing is to improve housing standards. It allows the Local Housing Authority (LHA) to ensure that conditions, amenity & fire safety standards comply with current legislative standards. As such the principle beneficiaries of licensing are tenants. However, some LHAs use the licence as a vehicle to improve the management of the property and to respond to complaints by local residents about the appearance and behaviour of tenants. Hence licences often contain conditions relating to the number of waste receptacles required and management conditions, such as, that the landlord takes reasonable steps to minimise any nuisance, alarm or harassment by tenants etc. It also requires the responsible person to provide a 24hr contact number which can then be used to help expedite complaint resolution. The licence cannot restrict car parking.

M 08	Question from:	Councillor Geoff Ward
With this new emphasis on a strategic measure for the management of HMOs in Bath, is it possible that there will be reduced resources for enforcement activities?		
	Answer from:	Councillor Tim Ball
<i>Introducing additional licensing for all HMOs across the three south Bath wards of Oldfield, Westmoreland & Widcombe would bring between 700 and 1400 additional HMOs into licensing. This is a significant operation task which would require additional resources. However, fees can be levied to cover the administration costs of licensing including publicity, back-office functions & inspections, and as such, licensing should be cost neutral to the Council. As such it will not be at the expense of the existing enforcement activities undertaken by Housing Services.</i>		

M 09	Question from:	Councillor Tim Warren
In the Medium Term Service and Resource Plan for Place, it states that the Council expects to raise an additional £300,000 from additional parking charges next year. Given the Cabinet Member's decision to drop proposals to implement parking charges at Council car parks which are currently free, how much of this £300,000 does the Council now anticipate will be raised?		
	Answer from:	Councillor Roger Symonds
The Council's Medium Term Service and Resource Plan is currently out for consultation and the changes referred to will have to be considered as part of the Council's overall budget preparation process.		

QUESTIONS AND ANSWERS - COUNCILLORS

There were none.