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Town Hall
Trinity Road
Bootle
L20 7AE

To: Members of the Council

Date: 23 April 2015
Our Ref:
Your Ref:

Please contact: Steve Pearce
Contact Number: 0151 934 2046
Fax No: 0151 934 2034
e-mail: steve.pearce@sefton.gov.uk

Dear Councillor

COUNCIL - THURSDAY 23RD APRIL, 2015

I refer to the agenda for the above meeting and now enclose the following schedule which was unavailable when the agenda was printed.

Agenda No.	Item
6.	Questions Raised by Members of the Council (Pages 91 - 96) Schedule of Questions and Responses attached.

Yours sincerely,

M. CARNEY

Chief Executive

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COUNCIL – 23 APRIL 2015

QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1. **Question submitted by Councillor Brodie-Browne to the Leader of the Council (Councillor P Dowd)**

“(a) Will the Leader inform the Council who it was who authorised/signed off the deal between Sefton MBC and Liverpool Elected Mayor Joe Anderson in respect of his pay and pension as notional 'Mentor' at Chesterfield High School and also inform the Council which Sefton MBC elected councillors were informed of this arrangement both before or after the deal?”

Response:-

There was no arrangement between Sefton MBC and Mayor Joe Anderson. Chesterfield High School was an academy and therefore any arrangement was agreed by the school.

(b) What has the Leader done to have this money repaid to the Council for what the Judge in a recent Appeal Tribunal described as a "reverse zero hours contract"?

Response:-

The Council did not fund the arrangement with Mayor Anderson and therefore there is no money to be repaid

(c) What was the total cost to Sefton MBC of this deal, including pension?”

Response:

There was no cost to Sefton MBC of the school's arrangement with Mayor Anderson.

2. **Question submitted by Councillor Shaw to the Leader of the Council (Councillor P Dowd)**

As the Leader is no doubt aware, judgement was handed down last week by the Employment Appeals Tribunal in the case of Mayor Joe Anderson v Chesterfield High School. Chesterfield High School was, until recently, a school maintained by Sefton Council.

In view of the serious public disquiet over this issue, and having regard to Judge Serota's judgement at the EAT that the Claimant (Mayor Joe Anderson) was "party to a misuse of public funds" and that "this arrangement may strike members of the public as constituting a misapplication of public monies", would the Leader of the Council agree that an Inquiry should be conducted into all aspects of Sefton Council's involvement in this matter?”

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Response:

The matters as affecting Sefton Council were dealt with in accordance with the appropriate legislation by officers.

3. Question submitted by Councillor Preece to the Leader of the Council (Councillor P Dowd)

“Could the Leader Member inform the Council how many individuals are presently contracted with Sefton MBC for payment of salary and pension while doing zero hours of work for the department or school for which they are contracted? What is the cost to the Council of such work?”

Response:-

The Council does not employ individuals under Zero hours contracts. The definition of a Zero contract is that a contract is in existence (without guarantee of work), and a worker is on call or standby to perform work for the employer.

4. Question submitted by Councillor Dawson to the Leader of the Council (Councillor P Dowd)

“Will the Leader of the Council condemn unequivocally the utilisation of public funds by elected office-holders to pursue private legal actions for personal gain?”

Could he confirm that the funds of Sefton MBC have not been used for such activity in recent years?”

Response:

I condemn Councillor Dawson’s waste of time on political kite flying and don’t believe hypothetical answers to hypothetical questions.

5. Question submitted by Councillor Dawson to the Cabinet Member for Corporate Services and Performance (Councillor Tweed)

“Could the Cabinet Member inform the Council as to the annual energy bill of the Southport Town Hall and comment on his opinion of the systems for controlling the temperature within this building?”

Response:

The Heating Control system at Southport Town Hall worked effectively until winter 2014 when the electronic control system failed. As a result, during the last winter, heating had to be controlled (i.e. turned on and off) manually, while within the building, thermostatic valves on radiators controlled ambient temperature.

As a result of the failure of the control system and the fact that the current boiler is 30 years old, approval has been given in the 2015/16 maintenance programme for a new boiler and control system at Southport Town Hall, to be installed in the current financial year.

Overall annual energy costs for Southport Town Hall are as follows;

Gas - £19,200

Electricity - £26,300

In terms of energy efficiency, the Town Hall is rated as 'C' which is above average for a building of this type, age and usage. This may improve as a result of the proposed improvements to be implemented this year.

6. Question submitted by Councillor Dawson to the Cabinet Member for Corporate Services and Performance (Councillor Tweed)

“Could the Cabinet Member inform the Council as to the length of time that the following premises have remained empty and unlet?:

- (a) Victoria Bath building*
- (b) the two vacant shops in the Cambridge Arcade?*

Response:

- (a) Victoria Bath building comprises of two units. The Baths unit is let on a long lease the conditions of which are being fully complied with. The second unit, a former nightclub, has been vacant for six years. It is in poor condition and it has not proven possible to re-let the unit despite repeated attempts.
- (b) Unit 4 has been vacant since the Council took possession in July 2010 pending works to create a sub-station which were completed during May 2012.

Unit 7/9 has been let temporarily on a number of occasions but is currently vacant. Both units are being actively marketed and there is current interest in both units.

7. Question submitted by Councillor Dawson to the Cabinet Member for Older People & Health (Councillor Cummins)

“Could the Cabinet Member inform the Council as to when the public (as opposed to present service users) will be consulted about the proposed changes in day care within the Borough: in particular will he inform the Council and the public of the original reasons for proposing the closure of Brookdale and the reasons why it is now being proposed to close the Chase Heys Day provision which was originally going to be expanded?”

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Response:

Consultation on the closure of Chase Heys commenced on 23 March 2015, this was a targeted consultation to service users and carers who currently attend Chase Heys. The Council has already consulted widely on day centres generally with the public and there is no requirement to consult a second time with the Public. The main report clearly states why a targeted approach is required and the recommendation is clear “engage further with the users and all interested parties of the Chase Heys day centre” e.g. carers and Sefton New Directions.

Brookdale was originally proposed for closure because of low occupancy rates. The Cabinet report dated 26 February sets out the reasons why Brookdale will remain open and why Chase Heys is proposed for closure and why the closure only affects current service users at Chase Heys.

8. Question submitted by Councillor Dawson to the Cabinet Member for Older People & Health (Councillor Cummins)

“Could the Cabinet Member inform the Council of local authorities which presently achieve the projected occupancy figures of 90 per cent which Sefton Council is postulating for the day care service in the future?”

Response:

Occupancy figures are no longer collected across England, the 90% figure is to ensure viability of our commissioned centres.

9. Question submitted by Councillor Dawson to the Chair of the Planning Committee (Councillor Veidman)

“Would the Chair of Planning inform the Council of the length of time that Sefton MBC have been aware of the operation of an amusement arcade in the Scarisbrick Hotel on Lord Street, Southport without the Council's permission and comment as to the acceptability of this length of time passing without effective enforcement being concluded?”

Response:

Action has been taken by Planning Officers. Following the intervention of the Planning Service, a planning application has been submitted to regularise the use of the premises as an Amusement Arcade which is currently being processed.

10. Question submitted by Councillor Welsh to the Cabinet Member for Communities and Environment (Councillor Hardy)

“How much did it cost for the refurbishment of Ainsdale Beach Toilets which was carried out by Sefton Council less than 3 years ago?”

Response:

The cost of the refurbishment was £5,500. This included new sanitary fittings in both the male and female facilities, all woodwork painted, floors treated and painted, windows and frames repaired, boiler and sinks boxed in, and a range of additional anti-vandal works undertaken. In addition, the existing accessible facilities and equipment for those with disabilities were also renewed and replaced. Work was also undertaken to the exterior of the facility including roof and window repairs and guttering replaced.

The toilet facilities in question were opened for the summer season on April 7th this year and will remain open throughout the summer until September.

11. Question submitted by Councillor Preece to the Cabinet Member for Communities and Environment (Councillor Hardy)

“Following complaints over toilet closure at Ainsdale Shore toilets during the recent Bank Holiday what is the timetabled plan for toilet opening of Ainsdale Shore toilets for the holiday season up to October?”

Response:

The toilets will be open seven days a week throughout the season until the first weekend/second week in September (when most of the schools start the new term). Also, subject to prevailing weather conditions at that time, they will also be open at weekends only up to the end of September.

12. Question submitted by Councillor Hands to the Cabinet Member for Transportation (Councillor Fairclough)

“Is the moratorium on Residents Parking Schemes in Sefton still in force?”

Response:

Yes, unless funded by a developer or Ward funds. For schemes funded through Ward budgets, progress would depend on the suitability of the scheme and the availability of resources to progress the scheme through consultation and implementation.

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13. Question submitted by Councillor Papworth to the Cabinet Member for Regeneration and Tourism (Councillor Maher)

“Some years ago, Cabinet accepted a Scrutiny recommendation that the law requiring proper provision for on-site drainage, particularly when paving front gardens, should be strictly enforced.

- a. *Will the Cabinet Member explain why so little has been done in this matter? and*
- b. *Specifically, in the case of "Lansdowne" in Blundellsands Road East, what conditions re surface drainage were imposed, and have they been enforced?”*

Response:

No detail can be found of a relevant recommendation accepted by Cabinet from Overview and Scrutiny Committee. However, on October 15th 2008, Planning Committee received a report outlining the impact of new national Permitted Development Rights, which took effect from 1 October 2008. The new rights stated that hard surfacing of over 5 square metres of a front garden (in line with where the dwelling fronts the garden) will only be 'permitted development' if the hard surface is made of porous material or run-off is directed from the hard surface to a permeable or porous surface, within the curtilage of the dwelling.

Since its introduction, this requirement has been enforced rigorously by the Planning Authority.

The Lansdowne on Blundellsands Road East issue relates to a planning consent, unrelated to permitted development rights. It is a large house which has been converted into 10 flats with an extension to the side (DC/13/96). As such it is using the existing drainage facilities for foul and rainwater. The site has existing hardstanding. The Planning Authority cannot insist that permeable paving is used under current regulations where existing non-permeable hardstanding exists. There are therefore, no outstanding planning conditions relating to drainage.