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To: Members of the Council

Date: 28 January 2016
Our Ref:
Your Ref:

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Dear Councillor

COUNCIL - THURSDAY 28TH JANUARY, 2016

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

Agenda No.	Item
6.	Questions Raised by Members of the Council (Pages 163 - 166) Schedule attached.

Yours sincerely,

M. CARNEY

Chief Executive

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COUNCIL – 28 JANUARY 2016

QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1. Question submitted by Councillor Dawson to the Cabinet Member for Planning and Building Control (Councillor Veidman)

“Is the Cabinet Member aware of the considerable concern remaining in the West Birkdale area in respect of the fate of the school and its fields following the failure of the Planning Appeal by Centremodel Ltd?”

Is he aware of the petition and covering letter which has been submitted to the Chief Executive of the Council from 80 residents of West Birkdale expressing concern about the need to take steps, possibly even involving compulsory purchase, to enforce the conservation and restoration of the listed building, the preservation and enhancement of the conservation area and the amenity of the area?

Will he ensure the best efforts of the planning department will be applied to discussions with the site owner in respect of the clearance of unsightly derelict outbuildings and meaningful discussions with local sports clubs about potential restoration of the cricket field for sporting use as was required under the section 106 agreement?”

Response:

“I am aware of the recent petition from residents in the vicinity of the Birkdale School for the Hearing Impaired expressing concern about the deteriorating condition of the building and requesting that it be converted to apartments, and that if this cannot be secured in the nearer future that the owners be requested to clear away the fire damaged buildings and the main building be secured and made weather proof.

The appeal decision was an important victory for the Council, with the Inspector accepting all of the arguments put forward as part of the Council’s statement of case. However, I recognise that winning the appeal is only part of the picture and that action on the ground is now needed. To this end, the Head of Planning has personally taken the lead in attempting to negotiate a solution with the property owner to secure the long term future of the building and enhance the area immediately surrounding it. Work is at an early stage but what I can say is that options involving the conversion of the main dwelling to flats with a limited amount of enabling residential development, which would address the condition of the land immediately surrounding it, is being looked at, with a formal pre-application submission imminent. Whilst it is acknowledged that to local residents this appears like a significant period of inactivity, not helped by the lengthy delays associated with the previous planning and appeals process, a negotiated solution is considered to be the best approach and this is what is happening.

Notwithstanding this, a negotiated approach can take time, which means the Council needs to consider whether it is necessary to use any of its specific powers to enable it to keep the building secure and watertight, and over the years we have used some of these.

Agenda Item 6

This process appears to be taking longer than anticipated and because of this, earlier this week we wrote to the property owner as part of the statutory Urgent Works Notice procedure. A site meeting has been arranged for 11 February 2016.

Whilst I fully understand the concerns of the community, this is a most difficult situation. Due to the time delays and costs involved in using CPO powers, we believe that where the landowner is willing to enter into discussions, a negotiated solution will offer more certainty and a quicker response to the problem. In the meantime, we are using what powers we have to secure the premises and make the building watertight to limit any further deterioration of the building. The request that the fire damaged buildings be cleared in the interim will be put to the landowner.”

2. Question submitted by Councillor Dawson to the Cabinet Member for Planning and Building Control (Councillor Veidman)

“What is the likely date for the completion of the Planning Inquiry process in respect of the Amusement Arcade on Lord Street, Southport?”

Response:

“We are in the hands of the Planning Inspectorate and we are aware that they have a heavy backlog to deal with.

We understand that the Planning Inspectorate will have a site visit on Friday, 5th February 2016.”

3. Question submitted by Councillor Dawson to the Cabinet Member for Locality Services (Councillor Fairclough)

“Could the Cabinet Member inform the Council what the length of time has been which has elapsed between the resurfacing of Duke Street near the Talbot Street junction in Southport, and the replacement yellow lining and whether he feels this acceptable?”

Response:

“The surfacing works on Duke Street were undertaken on the 4th October 2015. The predominate reasons for significant delays in applying road markings has been the wet weather. As you will be aware we have encountered significant wet weather since around mid-October. Unfortunately the contractor is unable to apply markings when it is raining and the surface is wet.

4. Question submitted by Councillor Dawson to the Cabinet Member for Locality Services (Councillor Fairclough)

“What is the proposed timetabling of the re-tendering of the Borough's yellow lining contract and will the heads of tender include a strong requirement upon the contractor and the council to liaise with road surfacing contractors and to ensure that the time between the two operations is minimised?”

Response:

“The new Contract for Road Markings is due to be sent out for tender in the next few weeks with a view to the new Contract commencing on the 1st July if not sooner. The Council already does, and will continue to liaise between the surfacing and road markings Contractors to coordinate the works and to try and mitigate any delays between the two activities.”

5. **Question submitted by Councillor Dawson to the Cabinet Member for Adult Social Care (Councillor Cummins)**

“How many assessments have been completed to date of the clients receiving Domiciliary Care financial support from the Council and how many such clients are still not receiving payments for their domiciliary care based upon the same rate of payment to care workers as is paid to care workers operating in the same area of town working for the Council's Direct provider contracted for that area?”

Response:

“The Council supports approximately 4,500 adults through some form of long-term social care.

With the implementation of the Care Act in 2015 the Council is in the process of reassessing all of these people's needs in the context of new eligibility criteria introduced with the Act. Good progress has been made on this task and some additional resource has now been brought in to ensure that it is completed for all people in a timely fashion. Within the total number of adults supported by the Council there are approximately 774 adults who receive a Direct Payment to enable them to arrange their own care and support and at this point in time approximately 330 of these have been reassessed so far this year. Roughly 700 of the Direct Payment recipients will need their direct payment rate adjusting, some upwards and some downwards in order to align them with current contracted domiciliary care rates and this matter is subject to a report to be considered by Cabinet on 4th February 2016.”

6. **Question submitted by Councillor Dawson to the Cabinet Member for Adult Social Care (Councillor Cummins)**

“Under what policy, agreed by whom, are the Council offering clients, who choose to finance their care through a particular private provider, a lower rate of finance from the Council per hour compared with the rate payable to the Council's main direct care provider in the same area of the Borough?”

Response:

“The Council has always followed national guidance in respect of Direct Payments. The implementation of the Care Act has changed the legal and national policy framework for adult social care and has therefore necessitated a review of all areas of service provision, including our approach to personalisation, personal budgets and direct payments.

Agenda Item 6

On 4th February Cabinet will consider a report on this matter which will provide an overview of the plan and approach to the development of Personal Budgets within Sefton, including the consolidation of Direct Payment guidance and procedures. This will ensure that there is an updated and transparent decision making framework in place.”

7. **Question submitted by Councillor Daniel Lewis to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

“How much was spent on the consultation on the possible changes to Council Tax Reduction Scheme?”

Response:

“All the publication of the consultation was done electronically to known community and housing groups. The statutory consultation documents were electronic. Some staff time was used to assess the responses but this was not measured specifically and was a simple consultation so much would have been coordinated through the consultation software that the Council uses.

Attendance at Forum meetings were coordinated with existing agendas and no additional events were required.

In summary there was no cash purchases in the delivery of the consultation and the officer time was spent in better understanding our service users.”