

COUNCIL 15 SEPTEMBER 2016 - AGENDA ITEM 9 – QUESTION TIME

Answers given at the meeting may have been a précis of the full answer which is set out below. In some cases additional information is also included. Where, due to time or other constraints, it was not possible for the question to be asked formally at the meeting the written response is also included below.

QUESTION 1 – Mr A T Amos asked Mrs L C Hodgson:

"Would the Cabinet Member for Localism and Communities join with me in congratulating all the children who have participated in this year's Summer Reading Challenge across the county; would she report on the success of this year's scheme, and would she agree with me that encouraging children to read books over the summer holidays is of enormous and lasting value, not only to the participants but also to parents and society in general which makes it a highlight of the year for me to present the medals and certificates at Warndon Library?"

Answer given

The Summer Reading Challenge (SRC) doesn't end until the 24 September and we will have a final statistics report soon after that from all the libraries, once all the medal ceremonies have taken place. This year's focus has been on the books of Roald Dahl.

However we already know that our partnership with National Trust Croome goes from strength to strength and there has been a record number of attendances at the three events this summer – with over 5,200 people attending this year. With top nationally acclaimed authors and record numbers of visitors, our library service and Croome are constantly being asked how we do it and have even been emulated by Warwick Castle!

Over 135 young people have volunteered with the library service again this year to help with the challenge which is great news, it helps the young people with their CVs, and UCAS applications and helps our libraries to achieve greater numbers of young children and better impact.

Although the SRC is a lot of fun for those taking part the big success is the very real impact it has on keeping children reading and maintaining those vital reading skills over the summer holiday.

Supplementary Question

In response to a supplementary question about support for such constructive activities the Cabinet Member confirmed her own support and that of the Council.

QUESTION 2 – Mr A T Amos's printed question asked Mr J H Smith:

"In the light of the recent report to the Health Overview and Scrutiny Committee, will the Cabinet Member with Responsibility for Health and Well-being please ensure that the Council's policy on smoking and e-cigarettes/"vaping" is enforced on all County Council owned and used property?"

Written Answer

Thank you Cllr Amos for your question. The current policy is to treat smoking and e-cigarettes / 'vaping' in the same way, i.e. no 'smoking' in buildings and/or within 15 metres of buildings where possible. All Council buildings have designated areas where smoking is permitted and the majority of staff who smoke or vape use these areas.

As Chairman of the Tobacco Control Alliance, I have noted the information presented to the Health Overview and Scrutiny Committee, and also the importance of continued vigilance about smoking in public places. I have asked the appropriate officer to make sure that the issue of smoking and e-cigarettes is discussed with Facilities Management as appropriate. I understand that initial discussions have already taken place, and opportunities for improving signage and communications with visitors are being explored.

QUESTION 3 – Mr P M McDonald asked Mrs L C Hodgson:

"Would the Cabinet Member with Responsibility for Localism and Communities please inform me how many counterfeit cigarettes have been seized in the last year?"

Answer given

We have only undertaken one seizure of tobacco as Trading Standards – Lowesmoor, Worcester in December 2015 with Police Support. This resulted in the prosecution of the shop owner.

There is a difference between illicit tobacco and counterfeit tobacco. Illicit is non UK duty paid and we prosecute for non-compliance with the Consumer Protection Act 1987 for not declaring statutory health warnings in English as required by Regulations. They are cigarettes not meant for the UK market, but mostly produced by legitimate manufacturers.

Counterfeit cigarettes are completely unregulated and derive from unlawful/spurious sources. They will be made up to look like legitimate brands.

Total seized in Lowesmoor – 15 packets of 20 counterfeit cigarettes, 88 packets of 20 illicit cigarettes, 7 x 50g packets of illicit hand rolling tobacco.

Redditch Police also seized illicit and counterfeit tobacco as part of a drugs raid in March and June 2015. We have taken custody of these cigarettes but have been unable to prosecute as the owner of the cigarettes could not be identified to court standard.

35 packets of 20 cigarettes and 11 pouches of 'Amber leaf' hand rolling tobacco were counterfeit, 467 packs of 20 cigarettes and 215 pouches of hand rolling tobacco were illicit.

The Service only undertakes these types of operations if credible intelligence is received and investigated. Since these seizures, no other intelligence or complaints have been received that crossed the threshold of resource deployment.

Illicit tobacco operations are resource intensive and so we only inspect or carry out seizures primarily where multiple pieces of intelligence are received. Due to the nature of the offences we have to pay for a tobacco sniffer dog team, due to the concealment of tobacco, resources are often also required for surveillance of premises and vehiclesand perhaps most critical....those prosecutions we have taken have resulted in minimal fines, in

the region of £100 to £500, and no legal costs to the Council have been awarded. The average legal costs for this type of investigation and prosecution is around £2,000.

Supplementary Question

In response to a supplementary question about the adequacy of the Council's response the Cabinet Member reiterated that if credible intelligence was received and the threshold of resource deployment crossed action would be taken.

QUESTION 4 – Mr P M McDonald's printed question asked Mr J H Smith:

"Would the Cabinet Member with Responsibility for Health and Wellbeing agree with me that he should call upon the Government to work with the BMA to resolve the present dispute with junior doctors?"

Written Answer

Thank-you Cllr McDonald for your question. No, the Cabinet Member with Responsibility for Health and Well-being would not agree. I note the dispute between the BMA and Government with regard to the junior doctors' contract, and also note that the proposed strike action is unprecedented in severity and length. However, I do not consider this to be a matter for County Council involvement. This will only be resolved by the parties involved coming together to talk and seek resolution.

QUESTION 5 – Mr R M Udall asked Mr S E Geraghty:

"Last week a member of his Cabinet accused me, in the Worcester News, of being Worcestershire's very own version of Katy Perry; I have no idea what he was talking about. However, he also went on to defend the decision to recruit a new officer at a cost of over £60,000, who will be responsible for selling off services to the private sector; something which will have a clear impact on service users. Both comments are clearly eccentric and strange, can he as Leader justify and explain both comments and does he continue to have confidence in the Cabinet Member?"

Answer given

Firstly can I thank the member for his question.

The Cabinet Member's reference to a celebrity is, I'm sure, a bit of light hearted and humorous banter – both celebrities and Richard seem to crave media attention and I that is what I believe he was referring to!

However, the more serious part of his question is what I will focus on. The simple fact is that some members aren't interested in achieving value for money for taxpayers. After all that is what Commissioning is all about – defining what needs to be done and finding the most efficient and effective provider to deliver those outcomes – be that in house or external - or indeed a public, private or VCS provider.

This particular post titled Lead Commissioner – Older People has been in place since 2013 and so is not a new post and a version of this at a similar grade was in Adult Social Care since 2009. The current post holder leaves in November, hence the recruitment.

The post is responsible for commissioning all older people, sensory impairment and physical disability services for the Council and is part of our Care Act responsibilities. The post [and associated staff] make sure that we have sufficient home care, care home and other service capacity at a price we can afford for all people who are eligible for support under the Care Act [other than LD where there is a comparable post for LD].

There is nothing eccentric or strange about wanting to provide value for money for the taxpayers of Worcestershire.

Supplementary Question

In response to a supplementary question the Leader reiterated that the Council would continue to commission services if that was the right thing to do.

QUESTION 6 – Mr R C Lunn asked Mr M J Hart:

"Does the Cabinet Member with Responsibility for Highways believe that the Diamond Bus service provision in Redditch has improved, after the major issues we debated in January? Is he now satisfied with the service provided by the company both in Redditch and the rest of the county?"

Answer given

I am advised that the service provision provided by Diamond Bus has improved in Redditch and generally in the other areas in which they operate in the north of the county. This can be attributed to the reduction in the number of contracts they operate and a change of management at a senior level. The number of complaints received this year averages four per month and predominately relates to commercial services. This Council's Officers are still meeting with Diamond regularly to review performance.

Supplementary Question

In response to a supplementary question the Cabinet Member reiterated that the County Council was not in a position to dictate to commercial operators but local members could refer specific instances of performance to the Traffic Commissioners if they felt it was appropriate.

QUESTION 7 – Mr R C Lunn's printed question asked Mr M J Hart:

"Can the Cabinet Member with Responsibility for Highways inform me when Plymouth Road, a major road in central Redditch, is due to be resurfaced and relined? Is the plan to do it in stages?"

Written Answer

Plymouth Road is due to be resurfaced and will also be relined following the surfacing. It is expected to take 12 days. Work is planned to start on 24 October in the half term break as there is a school in this location. The first 5 days in half term will be to complete works by near the school, and the second week away from the school. Initial talks have taken place with the school, and our public transport team and we will also liaise with other affected parties in advance of the works as necessary.

QUESTION 8 – Mr P Denham asked Mr M J Hart:

"I refer the Cabinet Member with Responsibility to the minutes of the meeting of this Council on 12 November 2015, question 14 at Question Time. This was a question to your predecessor, Cllr. John Smith, asking when there would be some progress on investigating the use of bus lanes by taxis in Worcester City.

This followed a decision of this Council on 9 July 2015 to carry out this investigation. John Smith's reply, as minuted, said:

'I can confirm that a comprehensive review of the business case for permitting taxis to use bus lanes in the city of Worcester is currently underway, and will include detailed assessment of the various options. This work is expected to be published for consideration early next year'

It is now late in the year yet no such publication has appeared. When will this happen?"

Answer given

Work in this area is still ongoing and will form part of the network management plans that emerge from the refreshed Local Transport Plan in spring next year.

Whilst there are certainly opportunities in some locations to expand the current use of bus lanes, it is not just as simple as altering a few signs. A significant investment will be required in either monitoring equipment, to control misuse and ensure compliance, or in fitting transponders to vehicles that link to traffic signals and hence give priority to vehicles using the bus lane. There is also the question of the negative effects this may have on current Air Quality Management Areas within the city.

Wider consideration is also being given to widening the usage, for example to include motorcycles. This would be welcomed by the West Midlands Motorcycle Action Group. The Group have made several representations to Worcestershire County Council to enhance accessibility to town centres and cities across the county by motorcycle.

Supplementary Question

In response to a suggestion that local taxi drivers felt particularly penalised as taxi drivers in other areas had routine access to bus lanes the Cabinet Member restated that the refreshed Local Transport Plan would be published in spring next year.

QUESTION 9 – Ms P Agar asked Mr M J Hart:

"Magnetite particulates from traffic pollution have been found in large quantities in the brains of Alzheimer's patients and are now thought to be implicated in causing the condition. Will the Council take further action to review Air Quality Action Areas with a view to a more rigorous approach to the reduction of traffic pollution, especially in traffic congested areas?"

Answer given

Worcestershire County Council worked closely with Worcestershire Regulatory Services to produce the current Air Quality Management Action Plan. Any highways and transport related actions contained within this plan will be included as part of the Area Strategies being proposed in the refresh of the Local Transport Plan. In addition, with the principal cause of deterioration in Worcestershire's air quality being excessive transport emissions due to congestion, Worcestershire's Transport and Air Quality Policy will provide the strategic framework for the development of measures which will help to reduce the adverse impact on air quality of transport-related infrastructure and services. This policy is due to be consulted on as part of the forthcoming Local Transport Plan.

Supplementary Question

In response to a suggestion that the Council's thinking should be more "joined-up" the Cabinet Member said Ms Agar's comments had been noted.

QUESTION 10 – Ms P Agar's printed question asked Mr M J Hart:

"The Bus Services Bill has been making its way through Parliament this summer. It offers three options for the control of local bus services, namely, Franchising, Enhanced Partnerships, or Advanced Quality Partnerships. These arrangements offer local transport authorities three different levels of control, with Franchising offering the greatest control over services and Advanced Quality Partnerships the least control. Is there an emerging view among the council leadership as to which option would be best for Worcestershire?"

Written Answer

The Bus Services Bill (does offer several options)

- Franchising would not appear to be an Option to Worcestershire County Council as Local Transport Authority (LTA). Although it is not specifically excluded in the draft Bill, Franchising of local bus services is an automatic option for areas that have elected mayors. If the Council chose to go for this option, it would need specific approval from the Secretary of State; this would entail significant commercial risks both carrying the full revenue risk and uncertainty regarding potential claims for loss of earnings from commercial bus operators whose business is affected by the creation of a franchise. The issue of loss of earnings does not appear to be a consideration in any of the literature but was a major obstacle that prevented LTA's from entering into the now defunct Quality Contract process.
- The Advanced Quality Partnership (AQP) would be an option but for a defined area. Existing legislation enables LTA's and local bus operators to enter into voluntary partnerships which are not legally enforceable and Quality Partnership Schemes that are legally enforceable and require LTA's to provide new infrastructure as their contribution to the scheme. The AQP Scheme build on existing Quality Partnership arrangements. This option would sit well alongside an initiative such as the key route improvements underway in Worcester. The problems with this sort of arrangement is that historically it has required the LTA to maintain levels of investment in infrastructure within the area covered by the partnership, the new legislation would enable the LTA to set up an AQP based on bus improvement measures as well as, or instead of, infrastructure improvements. DfT has suggested that parking and or traffic enforcement measures would be included in the scheme.
- The Enhanced Partnership would be the better option for the Authority as it is intended to apply over a wider area. It allows the LTA to set standards for services, ticketing arrangements including Smartcards and marketing but requires 'sufficient' support from operators. The LTA would also be able to take over responsibility for bus registration from the Traffic Commissioners and manage and support the standards set in the partnership. Under this option, bus services would remain commercially operated. The option is intended for a wider geographic area than the alternative partnership arrangements and restricts operator objections to key stages in the formation of the partnership at which point the LTA may address the operators' objections. Final proposals will be put to Cabinet at the appropriate time.

QUESTION 11 – Mrs F M Oborski asked Mr M J Hart:

"When it was agreed that the new Wyre Forest Leisure Centre would be sited adjacent to the Hoobrook Link Road we were assured that every effort would be made to ensure that the road would open at around the same time as the Leisure Centre and negotiations would take place to ensure that the Leisure Centre would be served by a bus service."

Could the Cabinet Member with Responsibility for Highways please tell me:

- (a) when the road will open to traffic? and
(b) what negotiations have been/are being held to ensure that the badly needed bus service is provided?"

Answer given

I thank Mrs Oborski for her question.

(a) Construction of the Hoobrook Link Road commenced in May 2015 with the planned completion of the contracted construction works scheduled for late summer 2016. The construction work is now in the final stages and it is currently envisaged the road will be open to traffic before the end of September. The Wyre Forest Leisure Centre opened earlier this summer as planned.

(b) The Leisure Centre is served by the No. 3 commercial bus service this currently provides a 15 minute frequency through the day and stops on the main Stourport Road some 150 metres from the site, diverting into the site has been discussed with Diamond Buses and officers are awaiting a response. Any change to the service would require registering with the Traffic Commissioner and is unlikely to happen before January 2017.

Supplementary Question

In response to a supplementary question about the possibility of a public transport connection the Cabinet Member clarified that an existing service bus ran close to the new developments.

QUESTION 12 – Mrs F M Oborski's printed question asked Mr M L Bayliss:

"Will the Cabinet Member with Responsibility for Children and Families please confirm that Grammar Schools are not the answer to raising standards within Worcestershire and would not be encouraged to open in this county?"

Written Answer

The County Council is entirely supportive of improving the social mobility of vulnerable children and young people; there is however a debate around whether grammar schools improve social mobility. There is no evidence to suggest that selection on the basis of academic ability narrows the attainment gap between advantaged and disadvantaged pupils. It is argued that introducing more selection based on achievement creates a more segregated education system and this is particularly concerning when it comes to our most vulnerable learners, including children in care. Our aim is to provide an inclusive education system that enables all children, in all schools to realise their ambition whatever their background, ability or faith. The County Council will be engaging fully in discussions on this proposal.

QUESTION 13 – Mrs S Askin asked Mr M J Hart:

"The number 37 bus route has recently been re-routed by First Bus to Green Lane via Bever Drive. Residents have complained, and I agree, that Bever Drive is an unsuitable route for such a large vehicle. What mechanisms can the Council bring to bear on First Bus in such matters?"

Answer given

Whilst hearing Cllr Askin's and residents' concerns, the number 37 bus service is a commercial route and the decision to re-route it via Bever Drive is solely the decision of

the operator who registered the change with the office of the Traffic Commissioner for Wales and the West Midlands. We have discussed the route serving Bevere Drive with First Bus but they wish to continue with the existing route for commercial reasons.

Supplementary Question

In response to a supplementary question the Cabinet Member suggested that re-routing of existing services might be explored when present developments at Williams Farm were complete.

QUESTION 14 – Mr G J Vickery asked Mr M J Hart :

"As I understand the law, a 30 mph speed limit is defined by the presence of street lights and the absence thereof implies the higher national limit, variously 60 mph for single carriageway roads and 70 mph for dual carriageways. These conventions can be modified by Local Highway Authorities but have to be signposted. After the initial signs, repeater signs have to be displayed additionally. In the light of recent legislative changes, can the Cabinet Member with Responsibility for Highways inform Council of the standards for the display of these repeater signs currently being applied, and whether the county's roads everywhere conform to the standards?"

Answer given

The recent Department for Transport Circular 01/2016 explains the measures introduced in the Traffic Signs Regulations and General Directions (TSRGD) 2016, which in summary reduces the requirement for repeater signage. Specifically, it states the following in relation to repeater signs:

3.15 TSRGD 2016 removes the requirement for a minimum of one repeater sign to be placed, which was first introduced in the amendments made in 2011.

3.16 Traffic authorities are best placed to decide how many repeater signs are needed and where they are placed, having regard to legislation and guidance in

Chapter 3 of the Traffic Signs Manual (TSM).

All signage for speed limits to date will have been pursued in accordance with Chapter 3 of the TSM, which details sizes, maximum recommended spacing and minimum visibility distances for repeater signs based on the speed limit imposed. We would only look to utilise the relaxed signage requirements in TSRGD 2016 in special circumstances such as where:

1. Site constraints might make it impossible to install signs.
2. We wish to reduce sign clutter in an environmentally sensitive area.

That said all current speed limit signage including repeater signs should comply with Chapter 3 of TSM or the new guidance. Compliance is assured through an annual inspection regime in line with Department for Transport guidance Well Maintained Roads.

If Cllr Vickery has a particular example where he feels we do not comply, no doubt he is about to tell us in his supplementary question.

Supplementary Question

In response to a statement that there were inconsistencies in the number or siting of repeater signs the Cabinet Member suggested the questioner should in the first instance notify the relevant officer with specific examples.

QUESTION 15 – Mr G J Vickery's printed question asked Dr K A Pollock:

"Would the Cabinet Member with Responsibility for Economy, Skills and Infrastructure provide an update on the Council's bid against the Government's £60million fund for sustainable travel?"

Written Answer

The County Council submitted a £1.65m bid to the Government's £60m Access Fund on Friday 9 September. Building upon the successful 'Choose How You Move' Worcester and Redditch bids, our "Choose Worcestershire" bid, if successful, will be invested in the following work streams:

- A 'Choose Worcestershire' delivery team of four active travel officers;
- Identification of at least 12 target 'active travel corridors and hotspots' across the county including all **new and existing** Major Trip Generators such as business locations , residential developments , educational and health establishments, sporting venues and leisure facilities;
- Sustainable/Active travel 'issue identification including barriers and opportunities to travelling by sustainable modes;
- Collection of baseline data, target setting and evaluation processes to measure the success of the project and to see what has been achieved. Performance monitoring, modal split and activity level monitoring, coupled also with detailed analysis of constant service delivery improvement;
- Production of a Project Plan detailing how the psychological and physical issues/barriers for each corridor can be addressed, to include:
- An indicative list of any capital infrastructure required to overcome the physical barriers to enable people to make the right travel choices. The implementation of this can then be pursued by the active travel officers internally (via maintenance/small works teams/feeding into capital funding bids for example).
- The development and delivery of a full Marketing and Social Media Strategy and Campaign Plan to address barriers and promote new and proposed transport infrastructure (e.g. Bromsgrove station/Worcestershire Parkway);
- The delivery of the project and marketing plans will ensure that 'soft' and 'hard' sustainable mode measures are knitted together to achieve maximum impact and value for money as well as meeting the obvious modal shift objective.

QUESTION 16 – Mr R W Banks asked Dr K A Pollock:

"Would the Cabinet Member with Responsibility for Economy, Skills and Infrastructure tell me what progress has been made in the recent past in the number of apprenticeships arranged in Worcestershire?"

Answer given

I thank Mr Banks for his question regarding the performance of Apprenticeships in Worcestershire; performance in 2014/15 is good. Following the launch in 2014 of "Worcestershire Apprenticeships", a partnership between Worcestershire LEP, Chamber of Commerce, Training Providers Association and Training Providers under the new brand where all marketing, promotion and work is completed as a partnership, aligning budgets and resources, the future is positive. In 2012 the Employment and Skills Board targeted the county to deliver 10,000 new apprenticeships by 2016, to date this figure is at 15,930,

Between 2013/14 and 2014/15 we have seen 12.4% Growth in Apprenticeship Starts (4,820 to 5,420) , 11% Growth in 16-18 year old starts (1,220-1,360), 40% Growth in Advanced Apprenticeship starts at Level 3 and a 6% Increase in Engineering & Manufacturing Apprenticeships from 770 to 820. This county has an achievement rate of 70% which is slightly below the national average of 71%. The Worcestershire Apprenticeship Group will focus on 16-24s and improving success rates moving forward.

Supplementary Question

The Cabinet Member answered a supplementary question about the Council's particular success in this area.

QUESTION 17 – Mrs E B Tucker asked Mr S E Geraghty:

"Would the Leader of the Council list the amounts of New Homes Bonus received by this council for each year since its introduction, including funding guaranteed for future years. Would he list how the money has been allocated for each year's New Homes Bonus and how much remains unallocated?"

Answer given

Firstly can I thank Liz for her question. I will list the amounts received and allocated so far. I will also ensure this is provided in writing to cover the full details.

The County Council has received £11.4 million in New Homes Bonus grant between 2011/12 to 2016/17.

A New Homes Bonus is awarded on the basis of extra Council Tax revenue raised. This grant is paid each year for 6 years to local councils to reflect and incentivise housing growth in their area for new-build homes, conversions and long-term empty houses brought back into use.

A total of £11.4 million has been received to date as follows:-

2011/12	£0.5 million
2012/13	£0.8 million
2013/14	£1.8 million
2014/15	£2.1 million
2015/16	£2.7 million
2016/17	£3.5 million

Of this £10.8 million has been allocated to schemes over this period and these have gone through the normal Cabinet and Council approval process.

Whilst we anticipate further receipt of New Homes Bonus income, Central Government have consulted on options to reduce the receipt of this reward grant from 6 to 4 years and therefore the amount we may receive in the future is not yet guaranteed. As a consequence of this we need to be cautious about committing future monies before the outcome of this consultation is known.

I hope this is a helpful summary of the overall position on New Homes Bonus. I will be more than happy to discuss this with Liz any further details if required.

Supplementary Question

In response to a supplementary question the Leader promised Mrs Tucker a detailed breakdown of the expenditure and the schemes funded.