

## COUNCIL 19 JULY 2018 - AGENDA ITEM 8 – QUESTION TIME

Questions and written responses provided below. Questions 9, 10, 11 and 12 were not asked on the day.

**QUESTION 1** – Mrs F M Oborski will ask Lucy Hodgson:

*"In view of the high numbers of concerned parents signing petitions against the removal of school crossing patrols will she agree to visit the two sites in my Division catering for Comberton Primary School with me and the Crossing Patrol for St George's CE Primary and St Ambrose RC School with the Chair of Governors of St George's and a representative from St Ambrose before implementing a final decision?"*

### **Answer**

The decision to close the sites in question is in line with our approved Policy. It is therefore an Officer decision. Our School Crossing Policy takes into account of all legislative requirements including the most recent code of good practice and Road Safety Great Britain agreed guidance notes. (Road Safety GB is a national road safety organisation that represents local government road safety across the UK). The decision does not relate to any saving plan. The recent consultation was also a staff focused consultation, in line with our HR Policy, rather than a public consultation.

I have visited these sites with the relevant Officers to see for myself the potential impact. There is no doubt that these are busy points, which is the main reason why the Council has invested resource into putting permanent crossing support facilities in place. School Crossing Patrols and Light Controlled Crossings fulfil the same purpose: they stop traffic so pedestrians may cross the road safely and are therefore a duplication of resources.

I am also aware of concerns around the issues of negative driver behaviour outside schools. These issues are being taken up with the Safer Roads Partnership as this is a criminal enforcement issue and not something that a School Crossing Patrol can influence as part of their role.

**QUESTION 2** – Mr A D Kent will ask John Smith:

*"Following the severe storm and subsequent massive flooding that affected Wythall recently, which saw over 300 houses flooded, can the Cabinet Member with Responsibility advise whether the implementation of the emergency plan met expectations?"*

### **Answer**

Thank you for this question which relates to the recent flash flooding experienced by some residents in your electoral division.

I know that all Local Members will be interested to understand the context and background to this flash flood event which occurred on Sunday evening 27th May Bank Holiday weekend. The thunderstorms that evening were very localised and impacted on very specific areas including South Birmingham and the Hollywood area of Wythall in north Worcestershire. The rainfall during the thunderstorm was recorded locally as 130mm – the equivalent of 2 months' worth of rainfall – which fell in just 2 hours.

Currently 257 homes and one business are recorded as having flooded internally and over 60 properties flooded externally (gardens). Although information is still being collated my understanding is that up to 42 residents have left their properties due to flood damage whilst up to 18 people have chosen to remain in their properties. The response to this incident is therefore not over and support to affected residents continues.

You specifically ask about the Council's emergency planning arrangements and if these met expectations for this flooding. I can report to you that the County Council's Emergency Response Plan was activated in accordance with our protocols and implemented to provide the co-ordination required to respond to this incident. The immediate and initial response to the incident followed notification from the Fire Service and was provided by County Highways and District Water Management staff. When the full impacts of the flooding became clearer and better understood following the Bank Holiday weekend the Council's emergency plan was promptly activated to co-ordinate the ongoing response. This was achieved in close collaboration with our partners including Bromsgrove District Council, the Environment Agency, Severn Trent Water and the north Worcestershire Water Management Service.

Following activation of the Council's Emergency Plan a series of internal Tactical (Silver) meetings and Recovery Group meetings were convened and a multi-agency Local Resilience Forum (LRF) Tactical Co-ordinating Group chaired by the WCC Silver Commander took place. Co-ordinated action at Hollywood has included staff from the County and Bromsgrove District Councils providing a presence on the ground, supporting vulnerable residents, providing information about Public Health, carrying out repairs to damaged footpaths and roadways, and arranging for the National Flood Forum, a charity to advise and support residents.

Should you require my further assistance with any matter relating the Councils response to this incident please get in touch with me.

#### Supplementary question

In response to a query, John Smith indicated that as soon as all the relevant information had been gathered regarding the flooding incident in Wythall, the protocols and emergency plans would be re-examined to ensure they were appropriate

#### **QUESTION 3** – Mr P Denham will ask Marcus Hart:

*"In May, the Cabinet Member was aware that Nadhim Zahawi, Minister for Children and Families, made the welcome announcement that an additional £252,000 was to be made available to Worcestershire to provide improved facilities for the education of children with special needs in our county.*

*At the time of this announcement, Mr Zahawi said, "All parents want to send their child to a good local school, one that meets their individual needs and supports them to achieve their full potential, regardless of the challenges they may face."*

*The parents of special needs children attending Riversides Special School in my division will share this aspiration, especially since these children continue to occupy totally inadequate premises leased to the school by this authority,*

*Does the cabinet member intend to spend any of this new money at Riversides School?"*

#### **Answer**

Worcestershire County Council is due to receive £1,338,145 in capital funding over three years from the Special Provision Fund, including the £252,480 top up announced in May. As part of the process for receiving this funding, the Council invited bids from all special

schools for projects to increase places, as the need for additional places was the highest priority following the recent High Needs Commissioning Review.

We are currently consulting on proposals to increase capacity at Rigby Hall using the first tranche of money in 2018-19. We are also working with the Advance Trust which is the Multi Academy Trust that runs Riversides School to develop their schemes.

The £1,338,145 allocation equates to £446,048 capital funding per year and whilst it is welcome, will not go far in meeting the pressing need for increased places in Special Schools in Worcestershire. We do not, therefore, have funding to address suitability or condition issues. As Riversides School is an academy their first point of call for such issues is the Education and Skills Funding Agency who manage the funding for academies.

#### Supplementary question

In response to concerns about the state of the school buildings and the Council's responsibilities for it, Marcus Hart undertook to continue to work with Riversides School to find suitable alternative premises for the school on one site.

#### **QUESTION 4** – Mr R C Lunn will ask Karen May:

*"Can the Cabinet Member update us on the progress of the "rolling" 100 day turnaround plan to rectify errors with the Liberata E5 School finance system. What amount of compensation has been paid to schools impacted in the 2017-2018 financial year?"*

#### **Answer**

Thank you Cllr Lunn for your question.

I can confirm that there was no compensation paid, however Liberata did recognise that in a number of cases a rebate for the fee was offered and accepted. This totalled £187,021. However, I would stress that over the last 12-15 months significant work has been undertaken to improve the service and I note that a report was uploaded yesterday for next week's Audit & Governance Committee that spells out exactly how all E5 and iTrent users were affected at the time. From that I would point out that levels of underpayments or escalations have been low in terms of the overall population (value and number) of payments. We don't however shirk away from the fact there were lessons to learn and following on from the 100 day plan we have a rolling improvement plan with Liberata and I can reassure you we are working with schools and in the Council to address all issues, and the report to Audit next week also sets more details out on this.

#### Supplementary question

Were there any outstanding claims for compensation from schools and did the Cabinet Member accept that if the Council had a 100 day plan it should stick to it? Karen May responded that it was not a compensation payment. £250k had been set aside by Liberata which equated to 6 weeks of the normal amount that schools paid. The 100 day plan was recommended by the SOCITM report which she saw as an ongoing plan.

#### **QUESTION 5** – Mrs M A Rayner will ask Lucy Hodgson:

*"I would like to ask the Cabinet Member with Responsibility for Communities if the criteria for the school crossing patrols is a one size fits all and why?"*

#### **Answer**

Worcestershire County Council (WCC) has agreed a policy for the School Crossing Patrol Service. This was adopted by Cabinet in November 2017.

The policy takes account of all legislative requirements including the most recent code of good practice and Road Safety GB agreed guidance notes. (Road Safety GB is a national road safety organisation that represents local government road safety across the UK).

Section 2 of the Policy sets out the legal position, with section 2.2.2 stating that SCP sites are established based on an approved national formula (described in detail in Appendix 3 of the policy). This is based on the number of pupils using the site, traffic flow, suitability of crossing point and other associated factors.

Each site is assessed on its own merit and whilst a standard approach is followed there will be associated, site specific, issues that are considered.

#### Supplementary question

If the School Crossing Patrol was removed from the busy A456 Kidderminster which served three schools, what safety strategies would be implemented for children, motorists, parents and local residents in compensation? Lucy Hodgson responded that the sites selected were on crossing points eg pelican or zebra crossings. On these sites the crossing took precedence and the attendant could only take action when the crossing was on green. Road safety education and training would be provided on an annual basis and she would welcome the involvement of parents in this. Overview and Scrutiny were also looking at this matter.

#### **QUESTION 6** – Mr C J Bloore will ask John Smith:

*"Would the Cabinet Member for Health join me in congratulating the NHS on its 70th Birthday and would they agree with me that the public will not forgive any government that fails to ensure our NHS and its staff are adequately resourced to meet the growing demands of our ageing population?"*

#### **Answer**

Thank you Cllr Bloore for this question. My colleague, Cllr Hardman Cabinet Member with Responsibility for Adult Social Care joins me in responding that yes, we do congratulate the NHS on its 70th birthday. We note the many funding challenges that have faced every Government since 1948, which have arisen because demand for health care is far greater than was originally expected and welcome the recent announcement of additional central funding for the NHS. We will continue to do all we can to encourage the prevention of ill-health, and to work closely with health colleagues at operational level so that the demands of our ageing population are met.

This anniversary reminds us that the post-war reforms in the Welfare State included the introduction of state funded social care as well as the introduction of free health care. We would like to take this opportunity to thank all those dedicated social care professionals, many of whom are employed directly by this Council, who work tirelessly to provide high quality care to our residents, and who are so rarely acknowledged in public for this essential work. They too should be seen as part of our 70th anniversary celebrations, thanks and congratulations.

#### **QUESTION 7** – Mr R M Udall will ask Karen May:

*"Further to my question at the last meeting of the County Council, can the Cabinet Member with Responsibility confirm that she will not sell the land in the ownership of the County Council at the former St John's YMCA for development; not until she has fully explored all the potential options to preserve the land as a sporting venue for the local community. Furthermore, can I invite her to join me and the County Councillor for the neighbouring Riversides Division, to visit the St John's YMCA Field, so we can jointly show her how important it is to the local community?"*

**Answer**

Thank you for your question Cllr Udall.

I can only re-iterate the response I previously gave you on this matter.

The land is surplus to the council's direct delivery requirements. The Council's agents are reviewing the options to regularise the current use and protect the Council's asset and they are exploring all options which may be available to this Council, in terms of disposal of this surplus site.

I am happy to visit the St John's YMCA Field with the Division Members.

**Supplementary question**

In response to a query, Karen May commented that she would explore all future options for the use of St John's YMCA Field going forward.

**QUESTION 8** – Dr C Hotham will ask Tony Miller:

*"The recent disastrous flooding in Wythall has highlighted the need for significant improvement in the drainage system. Can the Leader please confirm what additional funding is to be made available to facilitate these works?"*

**Answer**

It was a shame that Dr Hotham did not attend any of the meetings with outside agencies as he would have a greater insight into the problems that had been experienced there. As you know I phoned you on the day of the flood to ask you what properties had been affected in your division. I know you were on holiday at the time but I would have expected some sort of communication and I have received no communication so to ask this question when you have not been to any meetings is a little disingenuous.

I will update you on the programme and invite you to the debriefs and let you know the dates.

**QUESTION 9** –Mrs F M Oborski will ask Alan Amos:

*"At a previous Council meeting you assured me that the speed limit at the A456 junctions with Husum Way and Hurcott Lane was appropriate but improvement to signage was being implemented.*

*Since that answer there has been at least one further accident (at the time of writing this question!). Will you, with appropriate Officers, come to a site meeting at peak traffic time to actually see the situation as experienced by local residents?"*

**Answer**

I thank Cllr Oborski for her question.

She will know that I recently visited this site some weeks ago, consequently since when further signage has been ordered which it is anticipated will be installed by the end of this month. In addition, the road markings at this junction were refreshed in May.

I understand that this recent accident was, fortunately, a damage-only incident. Although not normally done, in the light of Cllr Oborski's particular concern about this location, a site meeting is being arranged in the next few weeks with officers from the Accident Studies and Traffic Management teams together with the police. This accident will be considered in detail to establish if there are any remediation measures that can or should be pursued. Cllr

Oborski will be invited to this meeting when she can raise and discuss this accident and any further concerns. I have asked for a report back and I have no problem with taking further measures if they prove necessary and agreed.

However, I would remind Cllr Oborski that an extensive safety remediation scheme was carried out at this junction in 2010 which has resulted in a significant reduction in the number of accidents at this location. I am assured that officers will continue to monitor and evaluate accident data at this site.

**QUESTION 10** – Mr A D Kent will ask Karen May:

*"GDPR is an EU initiative that had to be implemented by 20 May 2018. Can the Cabinet Member with Responsibility advise what the cost has been to Worcestershire County Council to implement GDPR and what is the perceived cost of future subject access requests?"*

**Answer**

Thank you Mr Kent for your question.

The General Data Protection Regulations (and the Data Protection Act 2018) came into force on 25 May 2018. There will be unquantified opportunity costs of training and compliance, as there is with other significant new legislation. On specific costs, in order to prepare for the introduction of the changes we secured £197k from the Transformation Fund to resource a project team to support compliance with the new law. This work is ongoing with the project due to finish at the end of this financial year.

In terms of Subject Access Requests, we have experienced an increase in numbers (number and volume of records) year on year for some time. We have not noticed any immediate, significant increase that can be attributed to the change in legislation. We are not, at this point, anticipating the cost of provision to change substantially overall at this point, but it is early days. The small income we previously received to contribute to the cost of disclosure (£10 per application) is no longer chargeable, but in reality made little difference compared to the cost of the service. We will continue to monitor demand over the forthcoming months.

**QUESTION 11** – Mr C J Bloore will ask Alan Amos:

*"Could the Cabinet Member for Highways explain to me why residents living on the same street in my division are treated differently by Ringway when applying for a dropped kerb?"*

**Answer**

I thank Cllr Bloore for his question.

He hasn't specified either the residents or the road in which some residents living in the same street have allegedly been treated differently in applying for dropped kerbs.

However, if he supplies me with this information after the meeting, I can assure him I will look into it.

However, if he is referring to a particular road that I think he is referring to, I can only say that if one crossing was approved inconsistent with all the criteria and despite not all the prerequisites being met, then it was only right that another application with the same characteristics was not then approved as well. It does not help a situation to compound an error by committing the same one twice. So, at worst, somebody got something to which they were not entitled; whilst somebody else did not get something for which they did not meet the criteria anyway.

But if it is the same example, I can further say that when discovering what had happened, improvements were swiftly made both in terms of the staff and the administrative procedures involved; together with a greater oversight of the contractor by the County Council. Ringway's vehicle crossing team deal with about 500 dropped crossings a year so we need to maintain a sense of proportion when things go wrong. As a result of the changes made following this case, this should not happen again.

**QUESTION 12** – Mr R C Lunn will ask Lucy Hodgson:

*"Can the Cabinet Member inform me as to what amount of money was spent on new library books across the County in 2017-18? How did this compare with the previous year?"*

**Answer**

In both 2016/17 and 2017/18, £302k was spent on new library books across the County, including audio books, e book and e audio books. The breakdown of book spend in 17/18 is broadly the same as that in 16/17 and is set out below:

Stock Type	Spend £k	% Spend	% Issues
Adult fiction, non-fiction, reference	185	61.26	63
Children fiction, non-fiction, reference	70.5	23.35	30.3
Large print	16.5	5.46	3.2
ebooks, eaudio	22	7.28	2.3
Audio books	8	2.65	1.2
Total	302		

In 2017/2018 spend on books represented 80% of total stock budget spend with the remainder being spent on DVDs (£20k), Online reference services (£37k) and Newspapers % Magazines (including e magazines) (£17.4k).

The stock budget is tightly managed and closely monitored and decisions on book spend and wider stock spend are made collaboratively by a team of frontline managers to ensure that they closely reflect customer demand at the frontline as well as trends in stock formats.