

# County Council

## Wednesday 18 July 2018

### 10.00 am Council Chamber - Shire Hall, Taunton



#### ANNEX A

#### Public Questions / Statements and Elected Member Questions

##### 1. Nigel Behan about changes to the SCC Constitution

In the Government Response (to the Housing, Communities and Local Government Committee report) "The Government response was: The Government fully believes that local authorities should take account of the views of the public and service users in order to shape and improve their services. Scrutiny is a vital part of this, and scrutiny committees should actively encourage public participation. Updated guidance will make this clear."

Will this be taken into account when discussing these proposals and should the status quo apply until the updated guidance is considered?

ii) As the Councils in Somerset are considering Unitary set ups (Unitaries are not County Council takeovers but dissolutions of existing councils and the creation of new ones) should the District Councils (Constitutions') have been compared (consulted about changes) to the SCC constitution and the procedures and practices that apply in those authorities considered?

iii) The Heart of the South West Joint Committee (where "Somerset County Council has been appointed by the Constituent Authorities as the Administering Authority for the Joint Committee") has a section on public question time:

##### "2. Public Question Time

If you wish to speak, please contact Julian Gale - by 12 noon the (working) day before the meeting. At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total. A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about any matter on the Agenda for this meeting may be taken at the time when each matter is considered. You must direct your questions and comments through the Chair. You may not take direct part in the debate. The Chair will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chair may adjourn the meeting to allow views to be expressed more freely. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group."

Do the Elected Council Members at this meeting agree - that this is less restrictive than the proposals presented here?

iv) At the London Borough of Barnet (Article 3 - Residents and Public Participation) they have a system of supplementary questions and "Public comments will be received by the Committee before supplementary questions are asked. Where a resident has submitted more than one question, their second item or question will be considered after all other residents

have asked their first supplementary question.” Clearly more than one question (including sub-questions) per submitter is accepted practice?

v) In the spirit of openness, transparency, democratic accountability, public participation and engagement, do Elected Councillors agree that these proposals do not “strike the right balance” but disproportionately restrict access, involvement and participation? Interested citizens, electors, residents and service users should be regarded as critical friends (offering alternative perspectives, views and on occasions free consultancy)? Surely if the work (and corresponding risk and issues assessed etc.) had been done then answers could be quite literally pulled off the “electronic” shelf rather than questions being regarded as a burden?

*Response from Cllr David Fothergill – Leader of the Council*

**PQ2. Helen Kay about Unitary**

- 1) What progress has been made in setting up a cross party and cross authority working group?
- 2) Will there be any scope for other options to be considered, such as 2 or 3 Unitary authorities being created instead of just one, or even parts of Somerset merging with BANES?
- 3) What are the likely plans for consultation with communities across the whole of Somerset ? is this likely to be for just the one option or for other options?

**Elected Member Question 1 (EMQ)**

**Unitary Status From Cllr Martin Dimmery**

Could I ask for an update on any progress made in consultation over the proposal to move towards the single unitary authority model. Have communities been engaged yet? If not, is there a schedule for doing this?

Response by David Fothergill, Leader of Council

**PQ3. Nigel Behan**

a) In the “HR Implications: There is a high probability that additional savings will need to be made in year from existing staffing budgets.” Please outline and justify what impact this will have on existing services and service delivery?

(How does this compare with the bullet points in the Corporate Peer Challenge Update delivered at Cabinet – 9 July 2018 – Capacity to deliver - “Positive approach to staff” and - “Confident staff”?)

b) In the “Risk Implications: Work is underway to reduce the predicted overspend but if that work does not materially change the prediction by the end of quarter 2 (October), there is a risk that the Council may have to take a number of urgent decisions to rectify the financial position. An option that is available to the Council, which is available to all authorities is the issuing of a section 114 notice which imposes severe spending restrictions on the authority and brings into effect an emergency budget.” What other options - than issuing a Section 114 notice (like Northampton County Council were compelled to do earlier this year) - are available?

*Response from Cllr Mandy Chilcott – Cabinet Member for Resources*

**EMQ 2**

**Financial Imperative Team - From Cllr Liz Leyshon**

Can Somerset residents and their County Councillors be informed by the Cabinet Member for Resources, Cllr Mandy Chilcott, of the timescale for target-setting associated with the work of the Financial Imperative Team, work that is essential to change the financial trajectory of this Council?

How will those targets and the associated programmes of work be monitored and how often will they be reported to all Councillors, not just to the Cabinet, so that we are all adequately informed and can follow the revised outturn forecasts through the Financial year?

We are mindful of the pressures on all staff of the County Council and do not wish to create additional reporting structures. We simply wish to ensure that all Councillors share the Cabinet's understanding of our financial position and help create a culture where every Councillor can contribute their local knowledge and professional experience for the collective benefit of Somerset.

Response from Cllr Mandy Chilcott – Cabinet Member for Resources

**A361 questions**

**PQ4. Hollie White about the A361**

I would like to make a statement about the Public Meeting held in Glastonbury regarding a 'consultation' for by-pass options. In relation to this, I would like to ask the following question: Please could the Council tell me what the process is for the removal of the County Freight Route designation of the A361 between Canard's Grave and Glastonbury? Please can this process also be detailed to me in writing? Please let me know if you need me to provide more detail regarding the statement I intend to make and I will provide this. Thank you

**PQ5. Christine Prior about the A361**

Re A361 Glastonbury. Has a Risk Assessment been done and in the event of an accident on the narrow stretch of road could the Council be held liable as it has now been warned many many times of the dangers and does the Council have any insurance liability should risks be upheld?

**PQ6. John Swift about Hinkley Point C and its impact on the A361**

Firstly we question the suitability of the A361 section through Glastonbury to be designated a 'freight route' with a continuous stream of lorries heading to Hinkley Point C day and night. Namely From Ashwell Lane junction, Coursing Batch, Chilkwell Street and Bere lane, these sections of road are totally unsuitable for LGV vehicle's as the width of the highway is so narrow (down to 5.3 metres at three points) and taking into consideration the radius of the bends and the width of the vehicle's this reduces the usable road width at these points even more to the extent that it is physically impossible for two lorries to pass each other in these sections. Thus the Lorries traveling through these sections (usually well over the speed limit) continually have to use the pavement to pass each other. (Driving on the pavement or mounting the kerb is illegal to start with and an instant fail in a driving test as it is classed as a dangerous manoeuvre).

We would like to point out that the pavements in question are the very ones that tens of thousands of tourists walk on every day to visit the very reason the town exists, the famous Glastonbury Tor. This makes it a very serious Health and Safety issue on its own.

These pavements themselves are far too narrow to allow even pedestrians to pass each other without stepping into the road.

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This along with the damage being done to the properties in this, part of Glastonbury's conservation area, make this a totally unsuitable route.

So should The A361 be taken off the Freight Route before a serious accident happens or wait until a public enquiry make that recommendation after fatality's have occurred?

Secondly we ask why Mendip is not invited to the EDF transport review group quarterly meetings considering the quarries providing the aggregates and raw materials for the project are mostly within the Mendip area and have to travel on Mendip roads to get to their destination. Also why we don't get compensated from the Hinkley Point C community impact mitigation fund?

We also enquire; how do we go about getting involved in the transport review group

### **EMQ 3**

#### **A361 - From Cllr Terry Napper**

Can Somerset County Council explain the process required to remove the designation as a county freight route on the A361 between Cannards Grave and Glastonbury?

Response by Cllr John Woodman, Cabinet Member for Highways and Transport.

### **Chard swimming pool questions**

#### **PQ7. Jos Sartain about Chard swimming pool**

I would like to attend the council meeting on 18th July and ask the following Questions:

How can Somerset county council justify the undemocratic and socially exclusive decision to close Chard swimming pool, before building a replacement pool, when it oversees the development of other towns that have multiple facilities and chard will have none?

The decision to close chard

pool will deprive residents of affordable access to a leisure facility that promotes life skills, health and wellbeing thereby contravening Somerset county councils own health and wellbeing plan, by politically promoting health inequalities, as defined by The World health organisation, and limiting residents' control of their health.

The cost of public transport/ petrol to Crewkerne /Axminster pools plus facility entry costs to these swimming pools a few times per month will exceed unlimited membership costs of these pools for residents of these towns. Will Somerset County Council guarantee free regular travel to these towns or and free entry to these pools for Chard residents until a replacement pool is built, to offset the extra costs that the closure of chard pool will have on residents?

#### **PQ8.Fiona Bowen about Chard swimming pool**

I am Fiona Bowen, Secretary of Somerset Amateur Swimming Association. I was informed on the 12th July by our Secretary of Ilminster Swimming Club of the proposed closure of Cresta Swimming Pool at the end of the school summer holidays. She had heard via the internet. This was a total shock as I believe there had been no communication with either Chard, Ilminster or Horton Swimming Clubs, all of whom use the facility. All three clubs affiliate to Somerset ASA and have just under 350 affiliated members between them. Chard & District Swimming Club are a competitive club representing Chard at County, Regional and National level and indeed produced Matthew Clay, a Commonwealth Gold medalist. Whilst not competing at such a high level both Ilminster and Horton & District have a very dedicated team of volunteers who work hard to help children learn the essential life skill of swimming and then to continue to enjoy and develop their skills.

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I understand that questions have to be submitted by noon today regarding the closure of the pool. I have the following questions which I understand will be aired at your meeting on the 18th July. I cannot attend that meeting due to the notice being too short to take the time off work:

1. We all understand that pools are costly to maintain and that the Cresta pool has possibly reached the end of its' life but the Council have been aware that this is the case for a long period of time. Therefore why is the closure so sudden giving clubs and other users very little time to make alternative arrangements? This is exacerbated by the fact that the swimming clubs traditionally close for a period of time during school holidays so the timing could not have been worse.
2. We would ask that the Council keep the pool open until proper consultation has taken place with the clubs involved, Somerset ASA and Swim England South West and alternative arrangements have been made to ensure that the 350 swimmers involved in those clubs are able to continue swimming without a break.
3. We would ask that the Council communicate regularly with the clubs, Somerset ASA and Swim England South West during the transitional period between the closure of Cresta Swimming Pool and the opening of the new pool

It is disappointing that communication with the local swimming community has been so poor in this matter. Whilst many have probably expected the closure, the shock is the extremely short notice being given and the lack of support and consideration given to the swimmers and not least the hundreds of volunteers involved in the three local clubs who have worked tirelessly and with passion over many years to bring the skill and enjoyment of swimming to so many. And of course producing a Commonwealth Gold medallist.

I thank you for your time.

#### **PQ9. David Flack about Chard swimming pool**

I write on behalf of Swim England South West region to express my concerns relating to the proposed closure of the Cresta Swimming Pool in Chard Somerset.

As you may be aware the pool is regularly used by 3 local swimming clubs with a membership of over 350 swimmers who are also affiliated to Swim England South West Region. The closure of the pool clearly has the potential to threaten the existence of 3 local clubs who have provided a valuable service to the community for the past 40 years.

On their behalf, can I request before any formal decision is made, for an open dialogue to include representatives from Swim England and the clubs, to discuss a planned and structured approach which will facilitate the councils longer term objectives for developing the site under the Chard Regeneration Scheme.

I note Councillor Sylvia Seal from South Somerset District Council is reported to pledge " we will do what can to support groups and clubs to find temporary alternative venues in South Somerset. Whilst this is welcomed we would wish to explore other viable alternatives.

#### **PQ10.Joan Knight about Chard swimming pool**

I was horrified to hear that the CRESTA pool is going to be closed so suddenly, although I quite appreciate that it needs replacing in due course.

However, although I understood from the recent meeting in the Guildhall (when the Chard Regeneration Proposals were put forward, promising that the Pool etc would be built within 2

years), what on earth do we Chard folk who haven't the means of getting to either Axminster and Crewkerne going to do meanwhile? Bus services are the worst ever since I have lived here for over 50 years.

More importantly, what about the large number of swimming lessons for local schoolchildren, and others, that take place all year at CRESTA? Surely, 'emergency' measures should be taken to keep the pool going until the new pool complex is actually functioning.

I know you are all fully aware of the feelings of us Chard residents that we have always been treated poorly for years and years in spite of being the second largest town in the District. Regeneration has been promised for years, and now the proposed closing of the CRESTA pool imminently is unforgivable. Can we trust the Council anymore?

**PQ11. Dan Glentworth about Chard swimming pool**

Please can the following questions be asked on behalf of Manor Court Primary School, Chard:

1. How are we meant to meet the legal requirement to teach all of our pupils to swim 25m by the end of year six if there is no swimming pool in the town.
2. How long will it be before the 'planned' leisure centre is built? Will it be completed by the time Cresta closes? If not, how does the council suggest we teach our current pupils to swim from September 2018.

**PQ12. Nicola Bridger about Chard swimming pool**

I am appalled to find out that Somerset county council are planning to close the swimming pool in Chard. I've only just found out quite by accident - I received an email from you this morning telling me of the plans.

My question is why have local people not been asked about their views on this? This would seem completely undemocratic.

This pool is well used and a vital resource for the community. Public transport links are poor in the area and it is going to be very hard for many people to access other pools. Local schools are no longer going to be able to walk to the pool for swimming lessons and the transport costs to other pools are going to impact on the schools budgets.

Why haven't people been consulted and given a chance to voice their opinions?  
I look forward to hearing from you.

**PQ13. Nina Wagstaff about Chard swimming pool**

I would like to submit the following questions for discussion at the meeting to be held on Wednesday 18th July. I am the Year 6 teacher and PE coordinator at Avishayes Primary School in Chard.

- 1) What alternative provision is being provided in the immediate future for the school children, and other users of the pool when it is demolished?
- 2) How can you justify the removal of the pool without providing an alternative when it plays a vital role in the swim teaching in Chard and the surrounding area?
- 3) Why was a new pool built in Blackbrook Taunton BEFORE the old pool in Taunton was closed yet this will not be happening here?
- 4) Where will school children swim? It is a statutory requirement as part of the national curriculum and all the other pools in the surrounding area are either full, or the school has no money due to budget cuts to provide transport.

5) Please can we see the costings outlined for the £1m refurbishment so we are then able to acquire quotes from other companies to try to keep it running until a new pool is built?

6) Why has this got to crisis point and who is the person accountable at county hall for this? If the children and people are to be without a pool someone has failed in their position and should therefore be without their job, as are the many employees who have served this pool for many years.

7) Have you explored every avenue? There is a pool sitting dormant at Beaminster school in Dorset with almost brand new and unused pumps and equipment. Why could this not be considered at a lesser cost to allow the pool to stay open until a new one is ready?

8) Can you guarantee a new pool is on the agenda and when will it be open?

9) Whatever happened to The Olympic legacy? Or does this only apply to large towns and cities? You are going against every aspect of it with this closure and I urge you to familiarise yourself with the link below.

[https://en.m.wikipedia.org/wiki/Legacy\\_of\\_the\\_2012\\_Summer\\_Olympics](https://en.m.wikipedia.org/wiki/Legacy_of_the_2012_Summer_Olympics)

**PQ14. George Wood about Chard swimming pool**

It is with concern that I write regarding the imminent closure of the Cresta Swimming Pool in Chard, Somerset.

The pool provides a facility for local swimming clubs that service over 350 members and enables those local people to pursue a healthy lifestyle and enjoy their sport. A loss of pool-time or the need to travel significant distances to access alternative facilities could severely impact on the clubs and members that currently use Cresta Swimming Pool.

We would welcome the opportunity to discuss with you the most effective interim arrangements to ensure the continued operation of the clubs that use the facility. In addition, our Facilities Team are available to provide expertise on the possible short-term solutions and to offer advice on the longer-term facility build that you are planning.

**EMQ 4**

**Cresta Pool, Chard**

**From Cllr Amanda Broom**

I would ask that the planned 'formal decision to close the pool' by the Cabinet Member for Economic Development, Planning and Community Infrastructure be deferred from mid August until November to allow more time for a full and public debate on the proposals. Residents have only recently been aware of the proposed Cabinet Member decision. They are therefore raising their concerns to the Council meeting on 18 July as that is the only public meeting opportunity for this to be discussed democratically ahead of the intended decision.

I would ask that the proposed decision should be taken at a Cabinet meeting in public to allow for the public to make representations to the decision makers. As such, I would also ask that ahead of a full and public debate, the following points, along with other submitted questions, are formally answered by officers in a time frame enabling consideration ahead of the decision:

- Has a health impact assessment been undertaken with regards to closing the pool?

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- Has an assessment of the users of the pool been undertaken, focussing on how they will be able to travel, including public transport, to other facilities – both physically & financially? This includes the swimming clubs, schools and members of the public
- Have officers undertaken a decommissioning plan based around actual timescales and costs of keeping the pool open and/or until the commissioning handover of the 'new' SSDC pool?
- What analysis has been completed around the current financial management of the pool – is there evidence of a sinking fund and maintenance undertaken to an adequate level?
- Are 1610 left with any outstanding liabilities for their lease of the pool and has any analysis been completed to understand how 1610 have managed their Chard resources compared to other towns in the County?

## **EMQ 5**

### **Cresta Pool Chard From Cllr Gemma Verdon**

With high levels of deprivation in and around Chard, the County Council's decision to close this sports facility is a significant loss of a community asset.

The swimming pool benefits those of all ages. The children of Chard are going to grow up without the knowledge of how to swim, if their schools and guardians cannot afford to transport them further afield to access swimming facilities. Swimming is a life skill.

The health and wellbeing of people of all ages can be improved by swimming and the Chard swimming pool is used by all age groups.

The Chard Regeneration Scheme, as proposed by South Somerset District Council does include plans for a pool and leisure facilities – but until many millions of pounds is secured to build such a facility, Chard is going to be left high and dry – without a pool.

I seek assurances that the County Council will reconsider its decision to close the pool, this year, maintaining it until the new pool is fully commissioned.

Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure

### **PQ15. Dave Chapple about a railway franchise consultation**

On behalf of the Friends of Bridgwater Station, I wish to ask if Somerset County Council will be taking part in the Cross-Country Trains new franchise consultation, due to end on 30th August, and if so can SCC support the addition of Bridgwater as a Cross Country Train stop being included in the requirements for the new franchise

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*