

**Full Council – 15 September 2015**

**RESPONSES TO PUBLIC QUESTIONS SUBMITTED TO THIS MEETING**

**Questions from members of the public were received for this meeting as follows; full details of the questions and the replies are enclosed.**

**List of questions received:**

- PQ 01 - Question to the Mayor – Avonmouth docks
- PQ 02 - Question to the Mayor – Officers holding politically sensitive posts
- PQ 03 - Question to the Mayor – Residents parking zones – freedom of information request
- PQ 04 - Question to the Mayor – Green Capital APP – freedom of information request
- PQ 05 - Question to the Mayor – Residents parking zones
- PQ 06 - Question to the Mayor – Waste contract
- PQ 07 - Question to the Mayor – Swimming pools

**Subject:** Avonmouth docks

**Question submitted by:** Alderman Royston Griffey

1. Can the elected Mayor of Bristol outline the potential timetable for:
  - a. the financing;
  - b. the projected commencement date of construction; and
  - c. the projected completion date of construction,

of the Deep Water Terminal adjacent to Avonmouth Docks (for which the Bristol Port Company has obtained the relevant Harbour Revision Order and all relevant approvals)?

(It should be appreciated if the Mayor would not attempt to side-track the issue by referring the questioner to the Bristol Port Company. His decision to sell the freehold of the Avonmouth and Portbury Docks Estate to First Corporate Shipping Limited for the sum of £10m was predicated on the claim that, unless the Port Company was able to acquire the freehold, the company would be unable to raise the necessary loans to finance the construction of the proposed Deep Water Terminal.

Consequently, he should no doubt have checked the bona fides of that claim and accordingly should have sufficient information to enable him to answer this question properly and without equivocation.)

2. Could the Mayor confirm that he has no intention of disposing of any other historic assets (whether freehold or leasehold interests) belonging to the City and County of Bristol, such as (a) The Floating Harbour and the City Docks; and (b) the Ashton Court Estate?

A written reply is requested within 10 working days of the meeting.

**Reply from the Mayor:**

- My decision to sell the reversionary freehold of the Port land was because I was satisfied that the sale achieves real, substantial, ongoing and long term benefits for the city. It was recognised in reports that a decision not to sell the reversionary freehold interest would not provide Bristol Port Company with the support they seek for long term further capital investment in the Port of Bristol Docks.

- There was no direct expectation, let alone requirement that the sale would be followed by activating the Bristol Port Company's project for development of a Deep Water Terminal adjacent to Avonmouth Docks. Accordingly, I cannot provide any statement on the timetable of that project.
- It is interesting to note that, following completion of the sale of the reversionary freehold, Lloyds List (the specialist weekly shipping news journal), ran an article about the Bristol Port Company's acknowledgement that the land agreement will allow it to "compete and invest on equal terms".
- The Council, prior to my election as Mayor of Bristol, has periodically sold historic assets – such as the Guildhall. The Council has also over many years, sold surplus freehold properties as part of its asset management. It is expected that there will be further freehold disposals where those sales are considered to be sound in asset management terms and best consideration is being achieved. I am not aware that there has been any thought of selling the Floating Harbour, the City Docks or the Ashton Court Estate.

**Supplementary question:**

As the sale of the freehold was on the pretext that this was the only way that First Corporate Shipping would be able to raise the finance to build the proposed deep water terminal, when will work on that new terminal begin? You must know this because you were satisfied that this was their pretext to purchase the freehold.

**Reply from the Mayor:**

Absolutely not and you misinterpret my words, you should refer to the Bristol Port Company. This was a decision where there were no direct expectations, let alone any requirement that the sale be followed by activating the Bristol Port Company for development of a deep water terminal adjacent to the docks. You must ask the Bristol Port Company themselves.

Second part of your question, I can confirm there is absolutely no intention of selling the Floating Harbour, the City Docks or Ashton Court Estate. Although the sale and lease of the mansion will always remain a possibility in order to justify its restoration.

**Subject:** Officers holding politically sensitive posts

**Question submitted by:** Michael Owen

1. Are Council Officers holding politically sensitive posts able to publish on social media comments in either a personal capacity or official capacity about the implementation of BCC policies outside their own responsibilities or remits? Could you please clarify present BCC guidelines on this matter?
2. Are Council Officers holding politically sensitive posts able to sign in a personal capacity petitions calling for changes to the implementation of BCC policies outside their own responsibilities or remits? Could you please clarify present BCC guidelines on this matter?

**Reply from the Mayor:**

- I don't know of the term politically sensitive in relation to a council officer, however if a post is designated as politically restricted, the post holder is not able to overtly support the views of a political party while in that role.
- This would include expressing views on social media of an overtly political nature.
- Post holders can express views in a personal capacity that do not overtly express or support the view of a political party.
- Post holders can sign petitions in a personal capacity that do not overtly express or support the view of a political party.
- Post holders need to consider whether they can publish comments or sign petitions on a case by case basis, having regard to guidance issued to staff on politically restricted posts, the Employee Code of Conduct and can seek advice from HR colleagues if in doubt.

**Supplementary Question:**

I notice that Chief Resilience Officer's words on RPZ on social media are still there this morning, and I quote "Yippee I love #Bristol Montpelier #RPZ, first time ever there are empty parking spaces, not that I have car". Is that compatible with BBC policies?

**Reply from the Mayor:**

It absolutely is, that is not a political statement. That is a statement about her experience in her community of a practical measure, which is of a council policy. That is not a political statement.

**Subject:** Residents parking zones – freedom of information request

**Question submitted by:** Christian Martin

As the roll out of one size fits all RPZs are a policy of the Mayor I request that the Mayor answer this question - and a written response is issued please.

It has become necessary to scrutinise the activities of officers and the administration in recent years by way of Freedom of Information requests. On too many occasions responses received have either been late or required follow up because they failed to answer, address or acknowledge the request being made. On the 17th July I sent in a request that was answered some 13 working days late after having had to contact staff twice to chase up once it had exceeded the 20 working days deadline set by law. Curiously the officer I spoke to was able to see from the logs that the request had been forwarded to the Highways department the day after it had been received - that is to say the 18th July 2015!

The response which eventually came was incomplete. In the media it was reported from a press release that vandalism and damage to equipment, signage etc in Montpelier amounted to £30,000 (<http://www.bristolpost.co.uk/s-time-Bristol-City-Council-s-message-RPZ/story-26900354-detail/story.html>). Furthermore in January of this year, officers identified to members who sat on the Place Scrutiny Commission that the total cost to the city was circa £39,000.

Part of my FOI request was for a breakdown by RP Zone of the costs associated with vandalism, damage etc. and a global figure or total cost for damage across the RPZs. The answer I received was as follows:

"The cost for these works would come from the overall parking ticketing equipment budget (which would include works for repairs/breakdowns etc.) and are not recorded separately in the way you have described. The council does not hold this information."

Can you explain how officers and Bristol City Council were able to infer that residents of Montpelier had cost the taxpayer £30,000 when according to your own response the "council does not hold this information" and accordingly now release the correct information as per the original FOI request and if necessary issue a press release with a full retraction and an apology for the figure attributed to Montpelier if no such data exists?

## Reply from the Mayor:

1. The RPZ's are not and have never been one size fits all. While there are some common elements in each RPZ, to ensure the schemes are equitable and readily understood (e.g. types of permit, permit prices), the hours of operation and the on-street designs are tailored to local circumstances and refined through consultation with residents, businesses and community organisations.
2. It is regrettable that the response to the FOI request sent on 17<sup>th</sup> July took as long as it did and I believe there has been an apology for this. Officer time is a finite resource and it is perhaps unavoidable that, on some occasions, delays occur where officers are working under significant time pressures to implement projects. The Highways service works hard to respond promptly to FOIs and other correspondence, while also maintaining a focus on managing essential assets and delivering new physical enhancements to Bristol's streets. FOIs are now costing this Council and the tax payer considerable amounts each year.
3. The FOI request concerning the costs of vandalism requested "a breakdown of the costs of vandalism, damage (with breakdown of specific types of vandalism, Pay & Display machines, repainting yellow lines etc.) in each operational RPZ in Bristol, detailed and listed per Zone".

The costs of maintaining RPS-related equipment is not recorded separately from the costs of other highway infrastructure maintenance in these areas. Furthermore, the causes of the maintenance costs are not recorded, so it is not possible to disaggregate the costs due to vandalism from other causes (e.g. wear and tear, traffic incidents or theft from ticket machines). Finally, recorded maintenance costs are not subdivided by RPZ areas. For these reasons it was not possible, to provide the breakdown of maintenance costs by RPZ area or for RPZ - specific equipment, or costs attributable solely to vandalism.

4. The figure of £30,000 reported by the Bristol Post was a non-typical case; it referred to a spate of vandalism over a short period in a specific local area. It was an estimate by officers based on a known number of vandalised signs and recently installed ticket machines using unit costs for replacement. As noted above, these costs are not recorded as part of regular maintenance.
5. There are no minutes record of discussions of RPS vandalism costs from the January 2015 Place Scrutiny Commission.

**Supplementary question:**

Why if you can't have this break down of this cost, you can then infer and inform the press that the Montpelier that had cost the tax payer £30,000 in overall in the damage?

**Reply from the Mayor:**

The £30,000 figure was reported by the Bristol Post, It was a non-typical case. It referred to a spate of vandalism over a short period in a specific local area, therefore it was known. It was estimated by officers based on known number of vandalized signs and recently installed ticket machines, using unit costs for replacement.



**Subject:** Green Capital APP – freedom of information request

**Question submitted by:** Christian Martin

I would like the Mayor to respond to this question and provide a written answer.

In March of this year each political group in the council was given a presentation on the programme, activities etc. for Green Capital. Much discussion was had with the representative from Green Capital on the need to engage members of the public because the perception was that it had been woefully inadequate (and in my opinion continues to fall short). An example was given of the engagement strategy which concentrated on the development of a mobile phone App. Our attention was drawn to a PowerPoint slide on which appeared a smart phone and it was made clear that an App. was going to be released that would go some way towards engaging residents, in actively enabling them to log their green credentials, activities, and to be able to interact with programmes, events etc. The question was asked at the meeting why this App. had still not been launched at the time of the meeting which was some 3 months into the Green Capital year.

I requested via an FOI for details on where this App. was and why it had not been released and what costs were involved. The response I received pointed me to a website (<http://do15.bristol2015.co.uk/>) as evidence of the APP having been released. I went back and questioned this because it is not a smart phone App. I was informed that this was the App. There are two distinct differences between a mobile phone App. and a Web App.

Differences between mobile applications and mobile websites:

Although both are used on the same media (smartphones and tablets), mobile applications (apps) and mobile websites (also called Web Apps) are very different. A mobile app is a program that is downloaded and installed onto a user's mobile device, whereas a mobile website is simply a website adapted to tablet and smartphone formats.

The understanding from the presentation was that the App. was for mobile phones and interactive and functional NOT that it was a website adapted for viewing on mobile devices. The questions I submitted as an FOI therefore remains - how much did the App. cost to develop/drop and where is the interactive Green Capital App. presented to councillors?

### **Reply from the Mayor:**

- Mr Martin's FOI request has been fully answered by officers. He has been given details of the App. and informed that the City Council does not hold information on the costs of development of that App.
- I understand that the proposed App. was presented as part of Do15 Campaign, which is aimed at engaging a wide range of residents in individual action and helping everyone to be part of the collective effort to make Bristol a happier and healthier city.
- The App. is only one part of the campaign which has included dozens of face to face events right across the city and a new poster campaign with endorsements from Bristol's leading sports people. Using these different channels helps the campaign to reach all parts of the city and different audiences in ways which an App. alone would not.
- I am delighted that this campaign has so far led to over 10,000 people making pledges to help make Bristol a happier and healthier city. I trust that ex Cllr. Martin has been one of them.

**Subject:** Residents parking zones

**Question submitted by:** Edward Bowditch

1. BCC announced by way of the Bristol Post on 22<sup>nd</sup> June 2015 that Morgan Street would be unilaterally included in the St. Pauls RPZ. This appears unlawful because it was not included in the scheme prior to St Paul RPZ being both made & brought into force. Therefore BCC appear to have disregarded the statutory consultation requirements as specified in *The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996*. Having been brought to its attention will BCC now consult properly, and if not, why not?"
2. BCC are in the process of implementing RPZ in Bedminster and Southville. This includes putting double yellow lines across driveways by default, unless a private access owner requests they are omitted. Is BCC aware there is no statutory backing for double yellow lines across driveways, and as a result is opening itself up to on-going costs as & when private access owners exercise their entitlement to request removal? The decision of BCC to implement double yellow lines in this fashion is damaging to the streetscape, has led to embarrassing news reports for very short lengths of double line, and generally gives the appearance of being more of a vendetta than a policy decision of any merit.

Should I not be present, please note I wish any entitlement to a supplementary question to be made available to Robert Duxbury.

I request a written response is provided to my questions.

**Reply from the Mayor:**

- The statutory process was followed in full for St Pauls RPS and always included Morgan Street.
- The physical introduction of lines and signs on Morgan Street has been delayed by protestors but it remains our absolute intention to complete the scheme.
- All double yellow lines in RPS areas are included in the Traffic Order for that area and as such have full legal status.
- Double yellow lines across driveways ensure that people can access their property.

- The introduction and removal of double yellow lines may form part of the annual RPS review process as it is vital that we ensure that schemes remain fit for purpose and reflect local people's needs.

**Subject:** Waste contract

**Question submitted by:** Kate Bowman

1. Can you confirm the net amount paid to May Gurney/Kier year by year since the start of the contract for waste collection and cleansing?
2. Can you tell us the amount that it is planned to spend by the new Bristol waste company over its first 12 months (please include total spend wherever resources come from)?

**Reply from the Mayor:**

**Question 1 response**

- You will be aware that the contract transfer from Kier / May Gurney was subject to an early termination agreement which is commercially sensitive. I will ask officers to look at what it is possible to release.

**Question 2 response**

- The council will make available the contract funds that would have been paid to Kier.

**Subject:** Swimming pools

**Question submitted by:** Ian Townsend

Please find below two questions for full council and requesting written responses:

1. What was the revenue cost subsidy provided for each of Bristol's swimming pools in the most recent financial year available?
2. What options other than Bristol Brunel Academy have been considered for the site of the East Bristol pool, and what were the estimated costs involved for these alternatives?

**Reply from the Mayor:**

**Question 1 response**

Whilst we are currently providing a subsidy for pools we are working towards removing this subsidy in future financial years.

- **Total 14/15 revenue subsidy for each site:**  
Easton Leisure Centre = **£234,989**  
Henbury Leisure Centre = **£252,130**  
Bristol South Pool = **£180,950**  
Horfield = **£208,893**  
Jubilee Pool = **£75,846**  
Hengrove Leisure Centre: = **£619,953**

**Question 2 response**

- The area is densely populated and the Council has undertaken feasibility work which identified the current site as the preferred location for a community pool. There were no other sites which were within Council ownership and which would not have an acquisition cost associated with their development that could provide space for a new pool. Furthermore if an alternative site existed it is more cost effective to locate wet and dry leisure facilities together using existing infrastructure.