

31/07 - **MEMBERS' QUESTION TIME:** Pursuant to Standing Order 12, the following questions had been received:-

(01) Question to the Leader from Councillor Webber:

“Will the Leader tell the Council how much has been spent so far on outside legal costs with regard to his application for judicial review of Harrogate Borough Council’s planning decision which was the subject of a Local Government Ombudsman’s report dated 14 December 2006”.

The Leader advised that the external legal costs to date had been £8,450, all but £50 of which went to the barrister who had been advising the Council. The remainder related to a Court fee.

(02) Question to the Leader from Councillor Pat Marsh

A motion was put to Council on 1 March 2006 saying, “That this Council initiates an investigation into the provision of a “Resident’s Permit” which could be used to provide discount to Harrogate District Council Tax payers, initially on leisure facilities and parking, but ultimately also for other services.

As an amendment to the Notice of Motion it was proposed by Councillor Gardner and seconded by Councillor Cooper that in the first line, the word “initiates” be deleted and replaced with the word “continues”.

What steps have since been taken by the Executive to pursue this “continuing” action?

The Leader advised that whilst the provision of a residents’ permit remained one of the Council’s aspirations, the Council had been required to address a number of other priorities over the last year, exemplified by the refurbishment of the Royal Hall, the issue of single status and the increasing cost of concessionary fares and the uncertainty of the level of Government grant to contribute towards that particular cost. In addition, the Government had announced its own spending review of Local Government services, and which was expected to have a detrimental impact on the financing of local services. As a consequence, the Council had to remain prudent with its expenditure proposals. Notwithstanding this, the Council continued to deliver good value for money to its residents and taxpayers at the same time as avoiding cuts in services which were to the benefit of all in the District. Sound financial management remained paramount.

In responding to a supplemental question from Councillor Pat Marsh seeking a more specific answer to the question raised, the Leader reiterated his earlier answer and advised that specific actions resulting from the 2006 Notice of Motion would be brought forward to the Council in due course.

(03) Question to the Cabinet Member for Public Protection and Rural Affairs from Councillor Goss

Could the Cabinet Member explain why the alcohol-free zone surrounding the war memorial is still being used by young people to consume alcohol?

The Cabinet Member explained that the area referred to was not an “alcohol free zone” it was a designated public area as described in the Criminal Justice and Police Act 2001. It received this status following completion of the process laid down in the Act in late 2002.

Within a Designated Public Area the consumption of alcohol was not banned. Clause 13 of the Act allowed local authorities to designate areas of public space where they were satisfied that nuisance; annoyance or disorder had been associated with public drinking of alcohol in that area. The offence was not the drinking of alcohol in a designated public space, but drinking after being required by a Police Officer not to do so. And it would only apply in areas that had experience of public drinking problems. These were unlikely to include peaceful, family picnic areas.

If people were drinking alcohol in a designated area and not displaying any anti-social behaviour it was unlikely they would be challenged by a Police Officer. If, however, the alcohol consumption was fuelling behaviour that was causing a Police Officer concern, the Officer could then require the persons to stop drinking, if they did not stop they had then committed an arrestable offence and would be dealt with by the Officer.

Additional to this power Police Officers and PSCOs had the power to confiscate alcohol from persons who were in any public area and displaying unacceptable behaviour. They could also confiscate alcohol from persons under 18.

If people consumed alcohol in any of the designated public areas across the Harrogate District (War Memorial, Montpellier Hill, Valley Gardens and Ripon City Centre) and displayed behaviour that caused harassment, alarm or distress to one or more people then it should be reported to North Yorkshire Police who could deal with the matter using the powers he had described.

In responding to supplementary question from Councillor Goss regarding under-age drinkers in this vicinity, the Cabinet Member advised that the appropriate course of action was to report any such incidents to the local police.

(04) Question to the Cabinet Member for Public Protection and Rural Affairs
from Councillor Goss

Could the Cabinet Member please explain why the Woodfield/Bilton Wards are currently operating without Community Police Officers? Would the Cabinet Member, through his partnership arrangements with the Police, ensure that officers are appointed without delay?

In responding, the Cabinet Member referred to the advice received from Chief Superintendent Bernie Mitchell of the North Yorkshire Police.

“North Yorkshire Police is currently undertaking a comprehensive review regarding our capacity and capability to deliver policing services. This review will provide detailed information on the basis of which the future shape and direction of the Force will be determined. The review will enable us to provide the best possible policing service for the community of the North Yorkshire Policing area.

Whilst that review is ongoing, all vacancies are currently on hold.

Although this means that we do not currently have a dedicated Bilton Police Constable in place, the Community Support Officers remain insitu. They are now line managed by response Inspectors and Sergeants, and where an issue needs referral for Police Officer attention or action then this occurs. Acting Sergeant Nick Widdowson is also performing a co-ordinating function as a central point of contact for the Community Support Officers to provide further support for them.

North Yorkshire Police remain firmly committed to Neighbourhood Policing and the Chief Constable has re-affirmed that Safer Neighbourhoods will continue to be a cornerstone for our policing strategy”.

(05) Question to the Cabinet Member for Cultural Services from Councillor Philip Broadbank

In the event of a stand alone Trust for Starbeck Baths not proving viable by this autumn, will the Cabinet Member confirm that a phased programme of repairs will be prepared to ensure this facility, used by around 55,000 people each year will continue to meet their needs in the future?”

The Cabinet Member advised that the Council had identified a Medium Term funding strategy of Starbeck Baths three years ago, and this investment was being delivered. At the same time, it offered support to the Starbeck Community to look at the option of establishing a Trust to provide the future management of the Baths.

Cabinet Members and Council Officers had been liaising with Starbeck Councillors in considering the feasibility of the trust option. Work on this was to be undertaken in due course. It would be possible to give further consideration to the future of Starbeck Baths in the light of the:

- The assessment of the feasibility of the trust option
- The latest assessments of the structural condition of the baths
- The outcome of the Cultural Services Resource Reallocation Review

All of this information should be available towards the end of the year to inform decisions about the future of Starbeck Baths.

In response to a supplementary question from Councillor Broadbank regarding the announcement made in March 2007 regarding the availability of a £500,000 fund and whether the Baths would be one of the Council's buildings that would benefit from such a fund, the Cabinet Member advised that this could be the case, although the facility would have to compete with other priorities in terms of available funding.