

46/07 - **PUBLIC ARRANGEMENTS – QUESTIONS:** Pursuant to Standing Order 27, the following questions had been received:-

(01) Question to the Leader of the Council from Joan Crowther.

Can he confirm that it is the intention of NYCC at a meeting to be held on 16 October 2007 “to cut the existing longstanding highways agency agreement with Harrogate Borough Council?”

What action has been taken by this Council to resist such unilateral vindictive action?

Related to this highways agency agreement is another longstanding one defining the use of income from public highway parking charges. What is the annual revenue from this source and would its loss to this Council be significant?

The Leader responded by advising that he understood that the report to be considered on 16 October was not one to determine the future of the Highways Agency, but a report to request authority for the County’s Director of Business and Environmental Services to determine whether the agreement should be ended. In other words, it was not a decision.

In response to this, the Council was preparing its case in some detail, and he had been in touch with the Leader of the County Council, as had the Cabinet Member for Planning and Transport with his counterpart at County Hall, and would continue to lobby the County Council and whoever else may be appropriate. He assured that the Council would resist this with every means at its disposal.

In respect of income from public highway parking charges, the Leader advised that this would have to be calculated and that the calculation was quite complex. A vast number of issues had to be taken into account, as well as constraints on its use. He had, therefore, asked Officers to examine this issue in some detail, and would let Mrs Crowther have the information as soon as it might reasonably be provided.

(02) Question to the Leader of the Council from Honorary Alderman G Crowther.

There is clear evidence that NYCC is frustrated by Government’s decision not to award unitary county status, notwithstanding that their unsuccessful submission satisfied four out of five criteria, whilst that of the seven District Councils joint submission, produced at considerable cost and recognisable great effort was of little effect other than to prevent this authority being reduced in status to that of a Parish Council.

What possible reasons can be given by the Leader for not proceeding with a timely approach by all groups direct to Government, proposing a smaller area unitary County Council and a unitary District Council on Harrogate’s present boundaries, a proposal widely supported by 165,000 residents and 6,500 businesses throughout this important District?

In the Leader's response to my question at Council on 19 July, reported on pages 2 and 3 he stated that "he was shocked at how little I knew about the Stage 2 submission which ran to 960 pages", was he not aware at the time of his response that the Stage 2 submission had been prepared in secret, behind closed doors, was not a public document and therefore unavailable to me, or anyone else, and consequently should a public apology be forthcoming?

The Leader responded in respect of the first element of the question from Alderman Crowther advising that this was a statement, the purpose of which was to provide the Council with his views rather than a question and, as such, hardly warranted an answer. In his view, Mr Crowther was questioning the considerable work carried out in this Council by Officers and Members on all sides of the Chamber and, in particular, by all the Members of Parliament for North Yorkshire. Clearly, the joint submission was completely successful against all the odds.

There were a variety of reasons which the Leader could give for not proceeding with a unitary bid, but suffice to say there was no opportunity under legislative provisions which allowed this Council under current rules to make a submission for a unitary district on present boundaries. The Government would not consider it at this time. Indeed, the whole basis of the current review was under challenge in the Courts, and it would be pointless to consider any approach until the Judge had made his decision.

In respect of the final element of Honorary Alderman Crowther's question this was not considered a genuine question and the quotation attributed to the Leader was not correct. The Stage 2 submission had been prepared in confidence, but not in secret for obvious reasons. He was sure all Members would understand the difficulty of seven districts working together and providing a response to proposals put forward by the County Council, and how pointless it would have been to allow that information to come into the public domain at an inappropriate time before the Districts had been able to respond to the County's bid.

Furthermore, Mr Crowther received a detailed explanation from this Council in a letter sent by the Chief Executive on 1 August 2007 which quite clearly made the point that the Stage 2 document itself was the one which was submitted in time for the deadline, and which was only available on disk. That letter offered to give Mr Crowther a copy of the disk if he wanted one, but there was no record of Mr Crowther ever asking to see a copy, perhaps because, as the Chief Executive had explained, most of the information had already been made available in a variety of ways. It seemed that Mr Crowther was confusing the Stage 2 submission and the Stage 2 response document.

In the light of the offer and the explanation made by the Chief Executive, the Leader could not see why a public apology should conceivably be made.