

**Corporate and Scrutiny Management Committee
(Calling – In)**

21 October 2013

Report of the Assistant Director, Governance and ICT

Called-in Item: Winter Maintenance Review for the 2013/14 season

Summary

1. This report sets out the reasons for the call-in of the decision made by the Cabinet Member for Environmental Services on 9 October 2013 in relation to proposed amendments to the winter maintenance services for the 2013/14 season. The option chosen addressed the majority of the gritting route concerns following an analysis of the consultation data and in a response to feedback from residents.

This cover report sets out the powers and role of the Corporate and Scrutiny Management Committee in relation to dealing with the call-in.

Background

2. An extract from the Decision Sheet issued after the Cabinet Member Decision Session is attached as Annex A to this report. This sets out the decision taken by the Cabinet Member on the called-in item. The original report to the Decision Session on the called-in item is attached as Annex B to this report.
3. The Cabinet Member decision has been called in by Cllrs Reid, Ayre and Aspden for review by the Corporate and Scrutiny Management Committee (CSMC) (Calling-In), in accordance with the constitutional requirements for call-in. The following are the reasons given for the call-in:
 - The consultation on the proposed changes was inadequate. It was only available online so excluded residents who do not or cannot use the internet, there was limited choice, leading

questions, and no room for “any other comments”. Throughout the process there has been a consistent lack of proper engagement with residents on the proposed cuts.

- The key issues identified by residents, based on the comments from the consultation, were the concerns over cycle routes, elderly and vulnerable residents, and schools and shops. However, there is a lack of evidence that resources have been targeted to address these issues.
- The report confirms that the Council will be treating a lower percentage of the road network than our APSE family group and around two-thirds of salt bins will be lost.
- The consultation and approved report lacked information and were difficult to understand for residents, residents groups or opposition councillors. They should have included:
 1. List of current salt bins and a simple yes/no as to whether they will continue.
 2. List of primary gritting routes and a simple yes/no as to whether they will continue.
 3. List of secondary routes and a simple yes/no as to whether they will continue.
- It is difficult to understand how this can be a comprehensive winter maintenance report when salt bin provision by other organisations such as Parish Councils and Residents Associations or even by other parts of City of York Council (such as Housing and Parking) were not included.
- The report talks about an “adopted criteria” for salt bins, but does not explain precisely what this criteria is, who approved it, or when it was approved.
- We do not believe that even this criteria has been applied consistently – the report ignores the fundamental difference between gritting roads for traffic and providing self-help bins for pedestrians. Gritting a road does not help pedestrians and justifying the removal of another 8 bins because they are now on a PGR (Primary Gritting Route) is nonsense. Either a location meets the criteria or it doesn't.
- Cllr Levene was quoted in the paper as saying that bins would be provided where there are schools, elderly people's homes and gradients. However, many of the bins being removed meet this criteria. Just taking the west of York this includes:

- On inclines - Barkston Avenue, Chapelfields Road/Marston Avenue, Ridgeway, St Stephen's Mews, Grove Terrace/Front Street at the junction of Tadcaster Rd and Pulleyn Drive at the junction of Grantham Drive and Howe Hill Close.
 - At schools - loss of salt bin at Dringhouses School, loss of salt bin at crossing patrol area on Askham Lane for Westfield Primary School, loss of salt bin at Carr School
 - Furthermore, cuts will hit Elderly Persons accommodation near Abbeyfields House off Royal Chase, Vyner House and Gale Farm Court.
 - Salt bins will be lost at key community facilities such as Acomb Explore and bus routes such as Woodlands/Straylands Grove in Heworth Without and the Middlethorpe Estate off Tadcaster Rd will be taken off Primary Gritting Routes.
- The CIA (Communities Impact Assessment) is unsatisfactory as it doesn't fully consider what the impact will be on vulnerable residents and doesn't take into account that large groups of residents were excluded from the consultation as it was online only.
 - No proper cost analysis of the Snow Warden scheme is included despite the role this system will play in future winter maintenance provision. A breakdown of the cost of providing this scheme (equipment, training, etc) should have been included and then compared to the cost of providing salt bins.
4. The decision has then subsequently also been called in by Cllrs Richardson, Doughty and Barton for review by the Corporate and Scrutiny Management Committee (CSMC) (Calling-In), in accordance with the constitutional requirements for call-in. The following are the reasons given for the second call-in:
1. On the grounds that the consultation was by online access only, this excluded residents not online from taking part in what was a City Wide Consultation.
 2. The proportion of roads gritted in Haxby and Wigginton under the plan (bus routes) do not provide protection to the 2958 pensioners who are vulnerable to injuries from slipping on ice. Residents need clear roads to access the bus services and to access the schools in the area. One of the four primary

schools in the area, Wigginton Primary School, is by passed by the PGR.

3. The ward salt bins were provided on the grounds that a need was evident and the service was warranted. The practice of leaving bins empty is causing confusion with residents and infers Councillors and Officers have made incorrect decisions in the placing of salt bins.

Consultation

5. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-In meeting, as appropriate.

Options

6. The following options are available to CSMC (Calling-In) Members in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
 - a. To decide that there are no grounds to make specific recommendations to the Cabinet Member in respect of the report. If this option is chosen, the original decision taken on the item by the Cabinet Member at his Decision Session on 9 October 2013 will be confirmed and will take effect from the date of the CSMC (Calling-In) meeting; or
 - b. To make specific recommendations to the Cabinet Member on the report, in light of the reasons given for the call-in. If this option is chosen, the matter will be reconsidered by Cabinet at a meeting of Cabinet (Calling-In) to be held on 29 October 2013.

Analysis

7. Members need to consider the reasons for call-in and the report to the Cabinet Member and form a view on whether there is a basis to make specific recommendations to the Cabinet Member in respect of the report.

Council Plan

8. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2011-15.

Implications

9. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in.

Risk Management

10. There are no risk management implications associated with the call in of this matter.

Recommendations:

11. Members are asked to consider all the reasons for calling in this decision and decide whether they wish to confirm the decisions made by the Cabinet Member or refer the matter back for reconsideration and make specific recommendations on the report to Cabinet.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

Contact details:

Author:

Dawn Steel
Head of Civic &
Democratic Services
01904 551030

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director, Governance and ICT

**Report
Approved**



Date

11 October 2013

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report

Annexes

Annex A – Extract from the Decision Sheet produced following the Cabinet Member Decision Session on the called-in item.

Annex B –Report of the Assistant Director (Transport, Highways and Waste), 9 October 2013.

Annex C – Extract from the Annex of Additional Comments received from Members and the Public since the agenda was published.

Background Papers

None