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MEETING	Executive
DATE	10 April 2007
PRESENT	COUNCILLORS Steve Galloway (Chair), Sue Galloway, Jamieson-Ball, Macdonald, Orrell, Reid, Runciman, Sunderland and Waller

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**198. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. The following were declared:

- Councillor Waller declared a personal and non-prejudicial interest in the matter relating to major capital schemes in York secondary schools, as a governor of York High and Oatlands Schools.
- Councillor Runciman declared a personal and non-prejudicial interest in the matter relating to major capital schemes in York secondary schools, as a governor of Joseph Rowntrees.

**199. Exclusion of Press and Public**

RESOLVED:

That the press and public be excluded from the meeting during consideration of Annex A and a further late Annex submitted at the meeting in relation to the item below relating to Major Capital Schemes in York Secondary Schools, on the grounds that they contain information relating to the financial or business affairs of particular persons, classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006.

**200. Minutes**

RESOLVED: That the minutes of the Executive meeting held on 27 March 2007 be approved and signed by the Chair as a correct record.

**201. Public Participation**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## **202. Executive Forward Plan**

Members received and noted an updated list of items included on the Executive Forward Plan at the time the agenda for this meeting was published.

## **203. Highways Maintenance Procurement Process and PFI**

Members received a report which presented the final report for part A of the remit of the Highways PFI Ad-Hoc Scrutiny Sub-Committee in regard to Highways Maintenance and the recent Private Finance Initiative (PFI) bid.

The main findings from the Sub-Committee's work were set out at paragraph 2 of the report. The options available to Members were to approve the recommendations arising from the scrutiny review in full or part, or to reject the proposed recommendations and outline alternative proposals, where applicable.

Members noted that the work of scrutiny members in Part A of this review had led them to the conclusion that the Council's expression of interest in PFI had been submitted against a background of financial constraint and a need to improve the overall condition of the local highway network to meet Government targets by 2014/5. They acknowledged further that other recommendations had been made within the scrutiny report to assist the process in determining whether the Council should proceed with PFI or some alternative approaches when the outcome of the Council's Expression of Interest was known. Members therefore agreed to take those principles into account when the Executive considered the arrangements for procuring highways maintenance in the near future.

**RESOLVED:** That the scrutiny report be noted and the issues raised and principles identified for procuring highways maintenance for the future be taken into account by the Executive when the outcome of the PFI Expression of Interest was known and consequently when it determined the Council's future highways maintenance procurement arrangements.

**REASON:** To ensure that the Executive takes into account the Scrutiny Sub-Committee's recommendations at the right time when it determines the Council's highways maintenance procurement arrangements.

## **204. Reference Report: Progress Report on Major Capital Schemes in York Secondary Schools**

Members received a report which asked them to consider the recommendations of the Executive Member for Children's Services and Advisory Panel (EMAP) in respect of a proposal by Fulford School to enter into a prudential borrowing arrangement with the Local Authority.

The details of the proposed capital scheme for Fulford School were set out at paragraphs 18-24 of Annex 1, the report to EMAP. The options

available to the Executive were to approve or reject the recommendations from the Executive Member for Children's Services.

Members were supportive of the proposed prudential borrowing arrangement given the intention to upgrade classroom facilities on site, incorporating new science labs, and provided the school submitted a 5 year revenue budget plan addressing repayment cost. In addition, however, since this arrangement would be the first of its kind with the Council, they asked Officers to establish some clear guidelines and principles for schools to use generally setting out what they would need to know should any wish to make a similar application in the future.

RESOLVED: That (i) the request from Fulford School for the Council to use prudential borrowing of £607k to fund part of the cost of their building project be approved, with the sum being included in the capital programme, subject to a satisfactory 5 year revenue budget plan addressing the cost of repayment being submitted to the Director of Learning, Culture & Childrens Services; and

(ii) Officers prepare some clear guidelines for schools to use in the future should any wish to make similar applications for the use of prudential borrowing.

REASON: To enable the school to develop and improve its facilities within available financial means

#### **204.1 Urgent Business: Joseph Rowntree School - Appointment of Technical Consultants**

The Chair had agreed to accept onto the agenda this late, partly confidential item in relation to the appointment of technical consultants to assist in the development of the Outline Business Case (OBC) for the Joseph Rowntree One School Pathfinder project. Appointing the consultants was essential to avoid delays in the overall programme.

The report outlined the selection process and reasons for proposing Mott MacDonald as the preferred bidder. Details of bids received were contained in the confidential Annex A and also a late confidential annex circulated at the meeting, which also gave details of the average day rates incorporated in the bidders' quotes.

RESOLVED: That Mott MacDonald be appointed as technical consultants for the Joseph Rowntree School OSP.

REASON: To enable the project to progress according to existing timescales.

S F Galloway, Chair  
[The meeting started at 2.00 pm and finished at 2.35 pm].