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MEETING	SCRUTINY MANAGEMENT COMMITTEE (CALLING IN)
DATE	21 MARCH 2011
PRESENT	COUNCILLORS GALVIN (CHAIR), FIRTH, GUNNELL, ORRELL, SIMPSON-LAING, TAYLOR, WAUDBY AND HORTON (SUB FOR CLLR ALEXANDER)
APOLOGIES	COUNCILLOR ALEXANDER
IN ATTENDANCE	COUNCILLORS CRISP AND MERRETT

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### **29. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal of prejudicial interests they might have in the business on the agenda.

Councillor Waudby declared a personal non prejudicial interest in respect of Agenda item 5 (City Strategy Capital Programme – 2011/12 Budget Report) in relation to the Rawcliffe Recreation Ground shared-use path as both Rawcliffe Parish Council and the Ward Committee were involved in link work to this footpath.

### **30. PUBLIC PARTICIPATION**

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

### **31. MINUTES**

RESOLVED: That the minutes of the last meeting of the Scrutiny Management Committee (Calling-In) held on 28 February 2011 be approved and signed by the Chair as a correct record.

### **32. CALLED-IN ITEM: LOCAL SUSTAINABLE TRANSPORT FUND**

Members received a report which asked them to consider the decisions made by the Executive Member for City Strategy at his Decision Session on 1 March 2011 in relation to a report which set out a proposed approach for the submission of an application to the Department's (DfT) Local Sustainable Transport Fund (LSTF). The report had also sought approval of the approach and delegated authority to complete and submit any subsequent bid to the DfT by the Director of City Strategy.

Details of the Executive Members decision had been attached as Annex A to the report and the original report to the Executive Member attached as

Annex B. The decisions had been called in by Cllrs Merrett, Potter and Simpson-Laing, on the grounds that:

- *Any final submission delegated to officers should only follow consultation with all Groups' transport spokespersons as well as the Executive Member given the importance of this bid for future transport funding in the city. This has not been confirmed.*
- *The report and decision for an area-based approach offer no evidence for how sustainable change will be achieved city-wide, given the funding is only one-off funding.*
- *There is no evidence of action to address the five air quality management area hotspots as part of this area-based approach.*
- *There is a lack of emphasis on improving local bus services, the highest resident priority after tackling congestion. Also insufficient focus on the most effective measures on bus priorities, cycling and travel campaigns.*
- *The Library Square scheme has been retained resulting in the loss of disabled parking spaces and is no longer affordable in the current climate.*

Members were asked to decide whether to confirm the decisions of the Executive Member for City Strategy (Option A) or to refer them back to the Executive Member for re-consideration (Option B).

Councillor Merrett addressed the Committee on behalf of the Calling In Members, stating that the LSTF bid was key to the provision of funding to replace that lost by transport funding cuts. He detailed reasons why more emphasis needed to be placed on improving local bus services, the highest resident priority in tackling congestion. The bid also required stronger commitment to improve air quality and gaps in the cycling network.

Officers pointed out that they were still keen to continue dialogue and consultation to assist in the further development of the bid. To reinforce the integrated transport approach it was confirmed that the bid would be 'area based' to provide a geographical focus for targeting measures and given the limited funding available, the bid would reflect these comments as far as possible.

After a full debate, it was

RESOLVED: That Option B be approved and resolution 8 (iv) referred to the Executive (Calling-In) meeting, for the reason that any final submission delegated to officers should only follow consultation with all Groups' transport spokespersons as well as the Executive Member, given the importance of this bid for future transport funding in the city.

REASON: In accordance with the requirements of the Council's Constitution.

**33. CALLED-IN ITEM: CITY STRATEGY CAPITAL PROGRAMME - 2011/12 BUDGET REPORT**

Members received a report which asked them to consider the decisions made by the Executive Member for City Strategy at his Decision Session on 1 March 2011 in relation to a report setting out the funding sources for the City Strategy Capital Programme and the proposed schemes to be delivered in 2011/12.

Details of the Executive Member's decision had been attached as Annex A to the report and the original report to the Executive Member attached as Annex B. The decisions had been called in by Cllrs Merrett, Potter and Simpson-Laing, on the grounds that:

- *The programme is insufficiently strategically focused in the current climate of significantly reduced capital funding, and current schemes' benefits should be reassessed to ensure key changes are delivered, removing the 'nice to do' aspects.*
- *There is a lack of prioritisation on air quality/a Low Emission Zone; bus priority measures; improvements to bus services and a city-wide 20mph residential area speed limit.*
- *There is an absence of a commitment to a partnership approach with other organisations to deliver smaller schemes, eg. like Rawcliffe Recreation Path.*
- *The Library Square scheme has been retained resulting in the loss of disabled parking spaces and is no longer affordable in the current climate.*

Members were asked to decide whether to confirm the decisions of the Executive Member for City Strategy (Option A) or to refer them back to the Executive Member for re-consideration (Option B).

Councillor Merrett addressed the Committee on behalf of the Calling In Members, expressing concern that with scarcer resources the programme needed to be more strategically focused. He again referred to residents' top priority of improving local bus services. The priorities being the introduction of bus priority measures, improving air quality, working with parishes and local groups to deliver smaller off road cycle schemes together with approaches to the University in terms of additional road contributions.

Officers confirmed that this was a transitional year, which was reflected in the block funding for schemes. Due to reduced funding the programme had been developed to support the strategic aims of LTP3 and the Corporate Strategy and schemes prioritised in order to make the best use

of available funding. Details of a city centre accessibility study were also reported which would be included in the City Centre Action Plan.

After a full debate, Councillor Simpson-Laing moved, and Councillor Horton seconded, that Option B be approved and the decision referred back to the Executive for reconsideration, on the following grounds:

- That the programme was insufficiently focused in the current climate, and current schemes' benefits needed to be reassessed to ensure key changes were delivered, removing the 'nice to do' aspects.
- Lack of prioritisation on air quality/a Low Emission Zone; bus priority measures; improvements to bus services and a city wide 20mph residential speed limit.
- Absence of a commitment to a partnership approach with other organisations to deliver smaller schemes.

Three Members voted for this proposal and four voted against and the motion was lost. It was then

RESOLVED: That Option A be approved and that the decision of the Executive Member for City Strategy be confirmed.

REASON: In accordance with the requirements of the Council's Constitution.

#### **34. CALLED-IN ITEM: DEVELOPMENT OF THE EXPLORE VISION IN LIBRARIES**

Members received a report which asked them to consider the decisions made by the Executive Member for Leisure, Culture and Social Inclusion at his Decision Session on 8 March 2011 in relation to a report detailing proposals to extend the 'Explore' vision across the whole of the city's library service.

Details of the Executive Member's decision had been attached as Annex A to the report and the original report to the Executive Member attached as Annex B. The decisions had been called in by Cllrs Crisp, Alexander and Simpson-Laing, on the grounds that:

- *There has been a lack of pre-decision consultation with staff and library users;*
- *No proper Equality Impact Assessment has been conducted;*
- *The report is based on data, which is in some cases five years old and in others, at least a decade out of date;*
- *The Executive is trying to carry out a consultation and the implementation of the decision concurrently;*

- *The decision should not be taken so close to the purdah period - the Council should wait until the electorate's verdict in May before proceeding with such a far-reaching policy decision.*

Members were asked to decide whether to confirm the decisions of the Executive Member for City Strategy (Option A) or to refer them back to the Executive Member for re-consideration (Option B).

Councillor Crisp addressed the Committee on behalf of the Calling In Members, expressing concern at the speed at which this decision appeared to have been made prior to full consultation and the conducting of a full Equality Impact Assessment (EIA). Pointing out that data on which the report was based was out of date.

In answer to questions, Officers detailed the lengthy staff consultation already undertaken and the vision for the popular Explore concept in place at York and Acomb, which was now to be extended across the whole service. It was confirmed that the next stage would involve local communities and examine how they wished to see their library service delivered. It was also explained that the EIA was a living process, leading to an action plan, which would then be further developed for each community. It was also confirmed that the decisions taken did not rely on census data.

After a full debate, Councillor Simpson-Laing moved, and Councillor Taylor seconded, that Option B be approved and the decision be referred back to the Executive for reconsideration, with the recommendation that the decision be deferred pending completion of a full Equality Impact Assessment and consultation with staff and library users prior to a report back to the Executive Member after the election in May.

Four members voted for this proposal and four voted against. The Chair then used his casting vote against the proposal, which was accordingly declared LOST and it was therefore

RESOLVED: That Option A be approved and that the decision of the Executive Member for City Strategy be confirmed.

REASON: In accordance with the requirements of the Council's Constitution.

CLLR J GALVIN, Chair

[The meeting started at 5.00 pm and finished at 7.15 pm].