

Meeting	Corporate and Scrutiny Management Committee (Calling In)
Date	19 January 2015
Present	Councillors Galvin (Chair), Burton, Fraser, Horton, Hyman, King, Potter, McIlveen, Runciman (Vice-Chair), Healey (sub for Cllr Steward) and Taylor
In attendance	Councillors D'Agorne, Orrell and Waller
Apologies	Councillors Levene and Steward

21. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal interests not included on the register of interests, any prejudicial interests or any disclosable pecuniary interests which they might have in respect of the business on the agenda.

Councillor Taylor declared a personal non prejudicial interest in relation to the called-in item: Guildhall and Riverside Creating a Digital Media and Arts Centre, as a life member of the York Civic Trust, in respect of the Trust's interest in the Guildhall.

22. Public Participation

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Paul Hepworth spoke on behalf of the Cyclists Touring Club, in respect of the call-in of the Jockey Lane cycle improvement scheme, in particular the delineation of the route across the two access roads. He expressed support for Cllr D'Agorne's suggestion of 'elephant's footprint' markings across the access roads on to Jockey Lane, to alert people to the fact that they were likely to encounter cyclists crossing.

Keith Rozelle spoke as a local resident in respect of the call-in of the Guildhall Digital Centre scheme, confirming that although he was pleased to support the proposals he wished to highlight

a number of concerns. In particular the lack of a detailed business plan, with no evidence of costs, revenues or company interest and of the need for public consultation on the project.

23. Minutes

Resolved: That the minutes of the last meeting of the Committee, held on 31 October 2014 be approved and signed by the Chair as a correct record subject to an amendment to Minute 20 – Rewiring of Public Services: Business Case for Children’s Services

In paragraph 8 - deletion of the words ‘there had been no discussions’ and their replacement with

‘although discussions were held about asset transfers with interested parties all the time, there had been no deal’

24. Called In Item: Jockey Lane Pedestrian and Cycle Improvement Scheme

Members received a report which asked them to consider the decisions made by the Cabinet Member for Transport, at his Decision Session on 11 December 2014, in relation to the revised Jockey Lane Pedestrian and Cycle Improvement Scheme. In November 2013 approval had been given to implement the works, subject to agreement with the landowners Portakabin regarding the transfer of land for use as additional footway area.

The Cabinet Member had subsequently been updated that, following a change in management, Portakabin were now unwilling to dedicate the parcel of land required to facilitate the proposed scheme. As a result, alternative options had been put forward for consideration.

Details of the Cabinet Members decision were attached at Annex A to the report and the original report to the Decision Session, attached at Annex B.

Officers circulated detailed plans of the revised proposals for the Jockey Lane scheme.

The original decision had been called in by Councillors D'Agorne, Orrell and Runciman and although the Members continued to support improvements on Jockey Lane, they had a number of concerns and had called-in the decisions on the following grounds:

- *Proper consideration was not given to the installation of a right turn into the Range store as requested by Ward Members in 2013 and again in 2014*
- *The failure to include the updated design of the cycle route across the access roads in the published documents meaning that comments could not be made on the proposals.*
- *Proper consideration was not given to the request by Ward Members to resurface a greater section of Jockey Lane*
- *The positioning of the Toucan crossing close to Kathryn Avenue traffic lights.*

Councillor Orrell addressed the meeting as one of the Calling In members. He confirmed that one of their principle concerns related to a previous planning condition, which had subsequently been appealed, in relation to a right turn into the Range store as requested by the Ward Members. This was particularly required now following the increase in traffic from the Vangarde development. Their other concerns related to the proximity of the proposed toucan crossing to Kathryn Avenue, the poor condition of Jockey Lane and the concerns of the Council's Arboriculture Officer in respect of trees in the vicinity.

Councillor D'Agorne, also addressed the meeting on behalf of the Calling In members. He circulated photographs of 'elephants feet' line markings, which Officers had previously supported, to delineate the road junction however Officers had subsequently confirmed that these could not be used on safety grounds. He therefore requested Members to support an amendment to the scheme to allow consideration to be given to the use of prominent markings to ensure a safe cycle route and crossing of Jockey Lane.

The Assistant Director, Transport, Highways and Waste, confirmed that the Cabinet Member had been aware that a

Safety Audit was due to be carried out on the scheme proposals, the results of which had been reported at his Decision Session. However, as this had raised some issues which required changes to the scheme layout, the Cabinet Member had delegated authority to the Director to consider the audit and approve any necessary alterations to the scheme. With regard to the Ward Members comments on additional road surfacing it was confirmed that there were proposals, to upgrade the access road to the community stadium and that consideration could be given to resurfacing Jockey Lane, if necessary, at that time. The suggested right hand turn had also been discussed however, owing to a lack of space in which to introduce a right hand lane a significant amount of work would need to be undertaken therefore with the associated cost implications this had not been pursued. In relation to the provision of measures across the two accesses on the south side of Jockey Lane, the design had included 'elephant's feet' markings to imply cyclists had priority across the mouths of the accesses. However concerns had subsequently been raised, in the safety audit, as to the effect of the arrangements for site lines for vehicles exiting the accesses.

Cllr Hyman referred to a letter received by Ward Members on behalf of Greenwich Leisure Ltd, regarding future proposals for the community stadium which also included proposals for a number of additional transport measures in the area including Jockey Lane and Kathryn Avenue.

In answer to Members questions, Officers confirmed that usual off-road cycle routes would cross a side road via a set back raised table, however as there would be insufficient room their preferred option was to provide give way markings for cyclists with signs to advise motorists.

Members discussed in detail the various issues affecting this scheme and in view of these and the notification received in respect of the transport measure proposed in relation to the community stadium it was

Resolved: That Option B be approved and that the decision of the Cabinet Member be referred back with a recommendation that Cabinet considers the issues raised by the Calling-In Members, in relation to the Jockey Lane

scheme, as part of the wider Community Stadium project.

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

25. Called In Item: York Guildhall and Riverside Creating a Digital Media and Arts Centre

Members received a report which asked them to consider the decisions made by the Cabinet, at their meeting held on 16 December 2014, in relation to the establishment of a viable re-use of the Guildhall complex as a Digital Media and Arts Centre (DMAC), in accordance with the Cabinet decision on 16 July 2013. The Cabinet had given approval to proceed with the procurement of a design team and an operating partner to run the DMAC, lease the building and release monies from the Economic Infrastructure Fund for the design and the building to the planning stage.

Details of the Cabinet's decision were attached at Annex A to the report and the original report to the Cabinet meeting, attached at Annex B.

The decision had been called in by Councillors Aspden, Cuthbertson and Waller on the following grounds:

"The report lacks many crucial details needed to support the proposal. These include:

- *A thorough business case to justify council expenditure on the project.*
- *Detail on the revenue projections including estimated rental income.*
- *A proper analysis of alternative options for the Guildhall.*
- *An examination of whether this is the correct location for the use being proposed or any comparison with other similar projects.*
- *An analysis of how the risk could be more appropriately shared with the private sector, especially on elements which might be better handled by organisations more experienced in the specific fields of business."*

Councillor Waller addressed the meeting on behalf of the Calling In members. He confirmed their principle concern

related to the lack of a business case and the risks involved relating to the funding of the project. The Members also questioned whether this was the correct location as there appeared to be no clear evidence to support the proposals for a DMAC and they felt that additional work was required prior to a final decision being made.

The Assistant Director of Finance, Property and Procurement and the Guildhall Project Manager with the assistance of the Principal Accountant, made a presentation, a copy of which is now attached to the online agenda. This set out in more detail the work undertaken in relation to the project, including the detailed feasibility study, alternative options, the financial overview together with the principles of the revenue model.

Councillor Williams, as Cabinet Member for Finance and Performance, acknowledged that the details contained in the presentation, should have been included in the report to Cabinet. He confirmed however that the business case was at an advanced stage in comparison to other projects undertaken. Although finance was required to undertake urgent work to the Guildhall roof he confirmed that a final decision had yet to be made on the whole project. Following additional work he confirmed that a report would be brought back to a future Cabinet and Council meeting.

Members questioned the Cabinet Member and Officers on a number of aspects of the project including risks to the authority, the difficulty of making a decision without all the necessary information, any restaurant/cafe lease and the need to protect the Guildhall setting and service access to the Mansion House.

Members confirmed that the majority of issues had now been answered and although they wished to protect the Guildhall, a balance had to be made between preservation and the business requirements for the site.

Cllr Potter then moved and Cllr Taylor seconded that Option A be approved and the decision of Cabinet be confirmed, as there were felt to be no grounds for referring back the decisions of Cabinet.

Cllr Runciman then moved and Cllr Healey seconded an amendment, that in light of the reasons provided for call in, Option B be approved and the decision be referred back to

Cabinet to request publication of all the information in respect of the Guildhall scheme for public consideration to allow a fully informed decision to be made in respect of the future of the site.

On being put to the vote it was

Resolved: That Option A be approved and that the decision of Cabinet 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 7.20 pm].