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Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	13 August 2020
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Baker (Substitute for Cllr Taylor), Hollyer, Hook (Substitute for Cllr Hunter), Kilbane (Substitute for Cllr Barnes), Pearson and Pavlovic (Substitute for Cllr Musson)
Apologies	Councillors Baker, Barnes, Hunter, Musson and Rowley

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## 1. **Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, which they might have in the business on the agenda. No interests were declared.

## 2. **Public Participation**

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

Chris Barrett, Chair of York Central Action Group (YCAG) spoke on Agenda Item 4 (the Called-In Item). He urged that a detailed re-appraisal of the entire York Central project be carried out, in the light of its inclusion in the council's Covid recovery strategy and to ensure the views of local residents were taken into account.

Mr Lindsay Cowle, a member of YCAG, also spoke on Item 4, expressing the view that the project should not proceed as it was but should be reviewed to take account of changed circumstances and to re-consider the controversial closure of Leeman Road.

### 3. Minutes

Resolved: That the minutes of the meeting held on 3 February 2020 be approved as a correct record, to be signed by the Chair at a later date.

### 4. Called-In Item: York Central Update

Members considered a report which set out the reasons for the call-in of the decisions made by the Executive at their meeting on 23 July 2020, in respect of the York Central Update, and the Committee's remit and powers in relation to the call-in.

The decisions were set out in Annex 1 to the report, along with the original report to the Executive, at Annex 2. They had been called in by Cllrs Myers, K Taylor and Wells for the following reasons:-

- i. The decision to commit a further £1.96m of council taxpayers' money without any Covid economic impact review and updated risk assessment of the York Central scheme is premature;*
- ii. The grant terms of the Government's £77.1m infrastructure funding should be agreed by the Executive in public rather than in private, given the magnitude of the grant and its potential to change plans for what goes on the York Central development;*
- iii. The council's business as usual approach to York Central also ignores the fact that infrastructure requirements for a Government department/House of Lords relocations may differ significantly to existing plans.*

Under with the provisions of the council's constitution and the requirements of Local Government Act 2000, the following options were available:

- A – not to refer the matter to Executive, in which case the original decisions would be confirmed, or
- B - refer the matter back to Executive with specific recommendations.

Cllr Myers addressed the committee on behalf of the Calling-In Members, explaining in more detail the reasons for the calling-in and responded to questions put by Members. The Executive Leader, on behalf of the Executive, then responded to the calling-in reasons and to Members' questions. Finally, questions were put to officers responsible for the report at Annex 2. From these submissions and responses, it was ascertained that:

- The Calling-in Members supported development at the York Central site but believed the decisions should not be finalised without a published risk assessment and a 'green book' style appraisal; this would not delay the project because the relevant information should already be available.
- The £77.1m grant from the Ministry of Housing, Communities & Local Government (MHCLG) was being provided to Homes England (HE) and Network Rail, with the funding committed by the council to be refunded, as confirmed in the letter from MHCLG to HE circulated to Members. Thus the council was not party to the terms of the grant, but this had not been known when the report was written.
- The up to date risk register for the project as a whole had not been appended to the Executive report because that related to specific and early stage decisions to secure funding and maintain the momentum of the project, the risks of which were set out in paragraph 42 of the report.
- A report on the overall capital programme would be brought to Executive on 1 October and the risk profile of the York Central project would be reviewed again when the next decision on the project was made.
- The project Masterplan had the flexibility to respond to changing circumstances.

After a full debate, Cllr Hollyer moved, and Cllr Pearson seconded, that **Option A** be approved. A named vote was taken and Cllrs Baker, Fenton, Hollyer, Hook and Pearson all voted in favour of the motion, while Cllrs Crawshaw, Kilbane and Pavlovic voted against. It was therefore declared **carried** by 5 votes to 3.

Members went on to consider whether they wished to make any additional decisions or observations arising from their debate, and it was

Resolved: (i) That Option A be approved and that the original decisions not be referred back to the Executive for reconsideration.

Reason: The committee does not consider that there are grounds to make specific recommendations to the Executive in respect of the original report.

(ii) That the Customer & Corporate Services Scrutiny Management Committee (CCSMC) be provided with the quarterly update on the performance of the York Central project, as requested at their meeting on 10 February 2020 (Minute 63 of that meeting refers).

(iii) That this committee would like CCSMC, as well as Executive, to consider the report resulting from the fundamental review of the council's capital programme announced in May 2020.

(iv) That this committee would like the Audit & Governance Committee, when considering its next report on Key Corporate Risks (KCRs) in September 2020, to examine in depth the KCR relating to capital projects, with any issues arising to be reported to CCSMC.

Reason: To ensure that all decisions relating to the York Central project are subject to appropriate scrutiny.

Cllr J Crawshaw, Chair

[The meeting started at 10.30 am and finished at 2.17 pm].