



May 2007

To: Group Leaders, City of York
Council.

Via Email

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Dear Colleagues

Future political management arrangements at the City of York Council

Following the declaration of the results of the elections on 4th May we have met on several occasions to try to find a mutually acceptable way of running the decision making processes of the Council and one which seeks to respect the wishes of the electorate. In doing so we have all been conscious that any period of apparent indecision could adversely impact on the morale of Council staff, partner organisations in the City and residents generally.

We concluded that

- The City must have a workable, durable, speedy and inclusive decision making process. Any structure must be allowed to work for at least 12 months and should be based on an agreed set of policy objectives and milestones.
- The decision making process must recognise that voters did not give any party an overall majority. Hence residents may expect to see a “mix” of policies and personalities.
- The new council needs to take a fresh initiative in terms of communicating with, and consulting, its residents and stakeholders.
- There may be changes needed to the Councils Constitution which would assist in the running of a balanced Council.
- The Council must have a responsible financial management policy which will be durable. The policy must address known financial pressures on the Councils budget.
- There are some difficult financial choices to be made over coming months. These include job evaluation, waste management, increased demand for some services, pressures on the contingency provision because of the effects of the pensioners pass cost transfer, continuing pressure on both adult and children’s social care budgets, resources for the capital programme as well as the need to focus on filling key officer vacancies, maintaining service quality and getting a sound CPA score.

All Groups initially advanced an all party Executive as their preferred option.

Following discussions, Labour rejected this option citing irreconcilable "policy" differences.

Labour had also ruled out having a joint administration with LibDems citing "the lack of a credible opposition" within such a structure.

Both Labour and the Conservatives declined to cooperate together in a two party administration.

The Conservative Group indicated that they would not enter into any arrangement for the 07/08 municipal year with any other party. They do, however, want to be "constructive" and might change their position in the future in the light of experience.

Labour have ruled out forming a minority administration at this time.

The proposal we have agreed to pursue is that the Liberal Democrats, as the largest group, will form a minority administration.

Labour would form the Shadow Administration.

Any agreement would be based on all parties agreeing to support it at the Councils AGM and that it would last for at least 12 months.

There will be an early review of members allowances (which would certainly be expected to recognise the more significant role of the Minority Group Leader) and a further review of the Constitution (see annex 1). The revised members allowance rates would come into effect as soon as an independent review had been concluded and agreed by Council, but they would not be backdated.

Any revised constitutional arrangements - unless unanimously agreed - would come into effect from the beginning of the 2008/09 municipal year.

I have indicated that the formation of a minority administration is the LibDems least favoured option and that any agreement would have to be underpinned by this written exchange explaining the new processes that had been agreed, together with a written statement of objectives for the Council for the next 12 months. In essence we would commission an update of the Corporate Plan (annex 2).

I would not wish to attempt to take proposals through the Councils decision making bodies (EMAP, Exec or full Council) which did not have a chance of success (as this would represent a potential waste of officer time).

I am pleased, therefore, that the Group Leaders have agreed to be involved at an early stage in the process of commissioning officer reports. This principle can be extended to individual portfolio areas involving Group spokespersons in the dimensioning of reports.

In addition we have agreed to re-introduce the Strategic Policy Panel to which potentially controversial reports can be referred for guidance. This supplements the formal scrutiny "calling in" procedures which will remain available for use, although all 4 groups will seek to avoid unnecessary reliance on this option because of the cost and delays that it involves.

I am happy to confirm that as a matter of principle we are prepared to accept the majority view expressed at these forums and will implement their agreed policies. It is my hope, however, that it will usually be possible on key issues to form a consensus on the best way forward for the City.

This agreement acknowledges that the current

1. Council Corporate Plan
2. 07/08 revenue budget &
3. 07/08 capital budget

will remain the basis for officer actions unless and until they are changed as a result of reports commissioned under this agreement (see annex 2) or as a result of subsequent further discussions or changed circumstances. Any changes will be subject to an officer report to the appropriate panel or Executive.

I acknowledge that residents will expect to see some early refinements to Council policies as a consequence of the election results. For example, against a background of generally buoyant car parking revenue, we have agreed to scrap residents evening car parking charges as soon as is practical.

We have all mutually agreed that we will commission a City of York Climate Change strategy report and a review of the City's leisure and swimming strategy is being placed in the Forward Programme.

I am quite clear that we will want to incorporate an initiative on improving consultation and communication arrangements with York residents

Some changes are proposed to committee numbers and are incorporated in attached (annex 3) which details the chairing and place allocations that we have agreed for the Councils decision making committees and panels. *[NB Annex 3 is not attached for the purposes of the Executive report on 12 June 2007].*

I would be grateful if you would write and confirm that this document represents the mutually agreed conclusions of our discussions.

When I have your response, I will recommend the proposal to my Group for endorsement.

Subject to this, we have agreed to issue a joint press release on Wednesday at 4:00pm when Ian has returned to the City from his short break.

Until that time the contents of this correspondence will remain confidential. Upon receipt of your confirmation though, the proposal will be selectively released, on an "in confidence" basis to key officers to allow them to make the necessary arrangements for the Council AGM and set in motion the changes to process that will be necessary during the June meeting cycle. It will also be necessary for us to prioritise the "review reports" so a further Group Leaders meeting will be necessary after the AGM

I should like to thank other Group Leaders for their contribution to this process which has of necessity involved some flexibility on all sides. I will work constructively with you all during the next 12 months for the benefit of York residents as we set out on another chapter in our City's long history.

Yours sincerely

Steve Galloway

Steve Galloway

Leader, City of York Council,

Liberal Democrat Group

Dear Steve,

Re: Future political management arrangements at the City of York Council

Thank you for your open letter sent by e-mail on the 21st May 2007.

Subject to the subsequent endorsement of the Labour Group and the matters below I can confirm that I can agree that your letter is the basis for the political arrangement at the City of York Council.

I agree that all things being equal any agreement should be workable, durable, speedy and inclusive. However you will appreciate that events may occur during the next 12 months, and beyond, which may result in priorities being re-evaluated.

It is acknowledged that the Council Corporate Plan, 07/08 Revenue Budget and 07/08 Capital Budget will remain the basis of officer actions until such time as reports commission under annex 2 have been received, further discussion between the major groups circumstances change or are a result of changes already agreed.

I am pleased that a way forward can be reached in relation to changes to the Constitution. I acknowledge that some of my Group's proposed changes will need to be subject to an Officer report and review. I would hope that the consensus approach currently demonstrated by the Groups will continue and those changes to the Constitution that are subject to the review process are not unreasonably delayed. (I do however note that at this time the Liberal Democrat Group would find it difficult to see a change to the EMAP structure until the municipal year 2008/09. Subject to any compelling reason to the contrary I would not envisage this being a difficulty for my Group.)

I am pleased that my Group's proposal for the re-establishment of the Strategic Policy Panel ("SPP") can be agreed. Clearly the exact details of that need to be finalised. In terms of membership we would propose a more appropriate ratio would be 4:4:2:1. I would expect like provision for Shadow Executive members on the SPP as for the Executive members.

I am able to agree to the Policy prospectus at Annex 2. The priorities associated with the initiatives have yet to be decided upon

In relation to particular Policy initiatives I would comment as follows:-

9 a) The review of recycling should include difficult to access properties, including flats, as well as terraced streets

12 a) We need to investigate the possibility of linking any bids for government funding with adequate plans to tackle congestion and traffic growth.

b) My Group believes that appropriate consideration need to be given to restarting the Park and Ride building programme.

I look forward to working constructively with all Groups.

Yours sincerely,

David Scott

David Scott

Leader of the Labour Group

cc: Ian Gillies, Andy D'Agorne, David Atkinson

Dear Steve,

Following the letter to Ian re the 'future political management arrangements' we are happy to proceed as agreed. A point on the ring road as we understand it, is ok with you. Ian looks forward to meeting you tomorrow to personally agree this accord, which we all hope will take the city forward into a new sphere of goodwill, hope, and good government for the all the residents of our great city.

Bill Bennett

York Conservative group convenor/dept group leader

for and on behalf of Ian Gillies, York Conservative Group leader. 11:02am. 22/5/07

On the basis that the electorate have voted for a more broadly based approach to decision making in the York Council, several changes to procedures, protocols, members allowances, committee size and the Constitution are being proposed by the Group Leaders.

Where changes to the Constitution are being proposed they are divided into two sections.

In the first, there is already a broad agreement and they will be implemented quickly via the Executive process.

Changes where there may be more controversy will be subject to a review process. Any changes resulting from this review process will be implemented in May 2008 (unless it is unanimously agreed by all 4 groups that the changes should be implemented sooner)

1) Constitutional changes to be implemented as soon as possible

- a. **That the Strategic Policy Panel (SPP) be revived.** *A method is required which allows a consensus on policy proposals to be arrived at as early in the process as possible (to avoid delay and wasting officer time). It is anticipated that Group leaders/spokespersons will give a steer to officers on the required (minimum) content of potentially divisive reports before they are written. It is proposed that an SPP be constituted on the ratio 4:4:2:1 where reports can be referred for policy advice prior to their being considered by the Executive or EMAPs. It is suggested that any 3 members should be able to make such a request. It is anticipated that this will happen only with potentially controversial items where establishing a consensus or majority view might be difficult without a joint meeting involving key decision makers. The understanding will be that the Executive/Exec Member will respect the majority view voted on at the SPP. This process is not “calling in” and does not form part of the scrutiny process. The calling in process (which involves the SMC) will continue to be available but it is hoped that this will usually prove to be an unnecessary safety-net which will be used sparingly. It is anticipated that the appropriate Portfolio holder will attend the SPP meeting when an item that is their responsibility is discussed. It will be necessary therefore for a facility to be agreed where Groups can nominate up to 6 substitutes. NB. There may be an issue about being able to introduce an SPP before the Council meeting on 28th June in which case informal arrangements will have to apply in the interim (i.e. the Executive can approve a change to the constitution if unanimously agreed, but it requires a full Council meeting to appoint members to a panel – and you can’t appoint members to a panel until it is established!).*
- b. **That the Chair of the Scrutiny Management Committee be a member of a major opposition party**
- c. **That the Chair of the Audit and Governance Committee be a member of a major opposition party**
- d. **That members of the Shadow Executive be permitted to be a member of the Audit and Governance Committee**

- e. **The restriction of no more than 3 recorded votes per Council meeting should be lifted** (*Understood that this is actually the status quo anyway as this amendment has already been made to the Constitution*)
- f. **That the Calling period under Part 4 Rules of Procedure – Overview and Scrutiny Procedure Rules – Para 39, Page 167 of the Constitution be amended from 2 working days to 5 working days** (*NB This refers to the, post decision, calling in time limit*)
- g. **The time limit for the Leader in presenting his report to Council be reduced from 10 minutes to 5 minutes**

2) Constitutional changes to be subject to officer report and review during 2007.

- a) Any outstanding business after the operation of the 10:00pm guillotine should be carried over to the appropriate section of the next Council meeting.
- b) Questions to the Executive member giving a written report to Council may be on the report or other area of their portfolio
- c) That the time limit and opportunities for participation in the debate on the Leaders report to Council be reviewed
- d) To establish both the West Area and City Centre Area Planning Sub committees in place of the joint West and City Centre area planning sub committee.
- e) To remove the responsibility for dealing with highways schemes from City Strategy EMAP and place it with the relevant area planning committee.
- f) To remove the determination of Public Right of Way (POW) issues from the City Strategy EMAP and either delegate this function to officers (in consultation with ward members) or return them to the area planning committees.
- g) That provision be made so that amendments to minutes or motions can be tabled at meetings of the Council (*without notice*)
- h) To allow for the Chair (*Lord Mayor*) of the Council (*ruling*) to be challenged if supported by a two thirds majority of those present
- i) That EMAPs be abolished and appropriate Scrutiny Committees be established for each portfolio/directorate

Policy prospectus for a new York Council

As part of a 12 month agreement on political management arrangements for the York Council, Group Leaders have taken the opportunity to highlight policy areas where confirmation of existing programmes may be required, where immediate changes to policy can be agreed and/or where a review of options needs to be tabled.

In the case of the **review reports** – which will be prepared by Council officials - members will have an opportunity to ask for specific issues to be addressed. No commitment is given at this stage as to what the outcome of the reviews will be, although all Groups have resolved to make a constructive input into the process. Unless changed, the current Council corporate plan and budgets will continue to form the basis for decision making within the Council.

This policy prospectus will be underpinned by a series of refinements to the Councils decision making processes, and Constitution, which will enable all members to make a contribution to policy development and service quality management.

1) Finding a consensus on the way forward for the City:

- a. We want York to be viewed as a “fair” and harmonious City. We aim to reduce relative poverty levels and involve the whole community in the City’s life.
- b. **A review report** will look at a new approach to City management involving extended public consultation arrangements, improved communications with residents (including the introduction of a monthly news-sheet), development of devolved decision making arrangements for local communities and capacity building for the voluntary sector

2) Climate change

- a. **A review report** will recommend how we can draw up an **climate change** strategy for the City including refined Council purchasing policy (e.g. helping local businesses), encouraging innovation (e.g. new types of road surface), implementing the SPG on sustainable development, reduced energy consumption (e.g. street lighting refinements), energy conservation improvements in buildings (e.g. including high standards at all new Council buildings), stimulating the use of environmentally friendly transport as well as embedding the Councils Environmental Management System and Green Travel Plan arrangements in all departments

3) Finance

- a. **A review report** will highlight how we can more effectively press the government for a fairer grant settlement for the City and achieve more investment in local transport systems.
- b. **A review report** will highlight how we can accelerate our search for efficiencies in the running costs of the Council including plans to move out of expensive rented office accommodation.

4) Jobs:

- a. **A review report** will highlight how we can allocate sufficient resources to ensure that, job creating, planning opportunities are dealt with quickly.
- b. **A review report** will indicate how a new partnership approach could assist the growth of local small businesses including refinements to the Councils purchasing policies (as part of an overall review of procurement to take account of ethical, sustainability and efficiency issues).
- c. **A review report** will look at the adequacy and success of local skill training facilities for York workers

5) Safe City.

- a. **A review report** will highlight how the Council can assist in providing more local police access points (e.g. police desks), improving patrolling arrangements in vulnerable areas and providing a more effective response to local concerns including, for example, measures aimed at reducing vehicle speeds (e.g. warning signs and pressing NYPA to install speed cameras at accident black-spots)
- b. **A review report** will update and recommend a policy strategy on the development of appropriate and responsive CCTV coverage.

6) Housing.

- a. **A review report** will recommend how we could adopt a more comprehensive approach to estate micro management, giving tenants more influence on their local neighbourhood. It will address options for the further integration of all Council services at estate and neighbourhood level to ensure a holistic approach with greater tenant participation, support for vulnerable tenants and measures to deal with bad neighbours.
- b. **A review report** will look at the availability of affordable and social housing and the effectiveness of the 50% affordability planning rule

7) Waste management:

- a) **A review report** will indicate how we can increase recycling rates to at least 45% during the next 12 months with particular reference to improving facilities for terraced properties, businesses and difficult to access properties including flats. We recognise that funding such a programme will involve difficult financial choices.
- b) A decision will be made on the replacement arrangements for the Beckfield Lane recycling facility
- c) The waste PFI project will be regularly reviewed

8) Education and Leisure

- a) Work on building three more secondary schools will start (York High, Manor and Joseph Rowntree). Eight Children's Centres will open, offering support for children and families in local communities. Development work for the new West of York pool will continue and repairs to Yearsley pool will be completed.
- b) **A review report** will consider the City's sports and swimming strategy including different management options (e.g. Trust status) and will, in particular, address the needs and opportunities for improved provision in the City centre. We will not commit expenditure at the proposed University pool, and will place a moratorium on further City leisure land sales, until this report has been considered and determined by Council.
- c) **A review report** will indicate how the provision of more woodland can be achieved as part of a refined tree management strategy.
- d) We will continue to assist York City AFC in their attempts to find a new ground, ideally in a sustainable location which is well served by public transport

9) Adult Social Services and Health

- a) **A review report** will recommend how we can recognise and address the increasing financial pressures on social care services.
- b) We will continue with a policy of providing individually tailored support plans for all clients.
- c) **A review report**, including input from users, on day care services for Adult Social Services clients with disabilities will be commissioned and the Yearsley Hydrotherapy pool and other facilities will not be closed until replacement services have been provided.
- d) We will have a robust approach to dealing with the PCT and any attempts they may make to offload costs onto the Council.
- e) Our aim remains to avoid anyone having to remain in hospital because there are inadequate alternative care facilities available (i.e. we will continue to target zero delayed discharges)

10) Transport

- a) We will press government, where appropriate with partners in the Leeds City Region, for more funding for local transport improvements (*e.g. to the outer ring road*) and will investigate the possibility of linking any bids with adequate plans to tackle congestion and traffic growth..
- b) Aim for quality, peak capacity and environmental improvements on Park and Ride services when the contract is renewed *while giving appropriate consideration to the need to restart the Park and Ride building programme.*

- c) Develop with bus operators a flexible “cashless” payment option.
- d) Aim to extend the advantages of the Metro Card to York residents.
- e) We will continue the freeze on parking charges during 2007, review the differential for resident’s parking discounts during the preparation of the 2008 budget while taking immediate action to discontinue the evening charge for Minster badge holders (i.e. local residents).
- f) **A review report** will consider ResPark arrangements and charging options.
- g) **A review report** on cycling facilities will be commissioned and this will, amongst other issues, address the adequacy of cycling/pedestrian access arrangements at York Station. A decision will be made on the future of the Lendal power station building during June 2007.

